

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

MAY 23, 2016

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: President Schulman Absent

INVOCATION: Thomas West, Ward 2 Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem Morris

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#10 - O#13; O#13 Adopted on 2nd Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Jonathan Bailey spoke about having to obtain a vendor's license for his business. He said he makes less than \$50.00 per day advertising for various insurance businesses. He believes he could make closer to \$250.00 per day; however, he pays \$150.00 per month in vendor fees in downtown Canton. He believes it's a crippling law, keeping poor people in their place and feels it's critical to get the license fees fixed. Dan Moeglin spoke about the city infrastructure. He spoke about the city flooding in 2003 and that during that time Council and the Administration made a commitment to improve the infrastructure. There have been lots of changes made. CSD was created as an individual department so they could focus on the "out of sight, out of mind infrastructure such as the storm lines and the sanitary sewer lines. Civil and Traffic Engineering were merged into one department for a much more efficient operation. A lot of technical staff has been hired since then. The Water Dept. replaced and upgraded 3 water treatment plants, Civil Engineering constructed multiple detention and retention basins. The WRF will be the most modern, up-to-date facility in the United States, if not the world, etc. Most importantly, the change has been from a reactive maintenance approach to a proactive maintenance approach. We've come a long way, but there's still a long way to go. Mr. Moeglin thanked Council and the Administration for their support and investments that have been made in the projects, the people, and the future. Charlotte Costello spoke about the high grass in her neighborhood. She stated that she'd talked to Member Scaglione regarding the house next to her that has 4' high grass since February. She wanted to know when the grass is going to get mowed. She also stated that she will email pictures to the various television stations if it's not cut. She believes that no one wants to take responsibility for the issue. Member Morris stated that the crew works on a rotating schedule and that they are currently in Ward 3. He also asked her to stay around and speak with the Service Director, Bill Bartos. Marc Schneider, Co-Chair of the Stark County Broadband Task Team, spoke about his work helping the Task Team study the implementation of high-speed broadband in Stark County, the city of Canton, and other municipalities. They have 30 or so people who represent small, medium and large employers, including government and non-profits on their committee. They've raised a little short of \$100,000.00, allowing them to engage a consulting firm to help do a feasibility study on how to bring the broadband service to Stark County.

INFORMAL RESOLUTIONS:

40. COUNCIL-AS-A-WHOLE: SUPPORT & ENCOURAGE EXPLORATION OF APPROPRIATE STAKEHOLDERS TO COLLABORATE ON CITY-WIDE SOLUTIONS FOR HIGH-SPEED CONNECTIVITY & EXPLORE ASSET HOLDING LEGAL ENTITY TO RECRUIT NEW LEADERSHIP, ATTRACT & ADMINISTER GRANTS & INVESTMENTS - ADOPTED

COMMUNICATIONS:

209. AUDITOR MALLONN: REQ RE-ISSUANCE AND SALE OF REVITALIZATION ANTICIPATORY NOTE IN MAXIMUM AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,000,000.00; EXPIRING NOTE WILL COME DUE 7/22/16; FUND TO BE UTILIZED FOR RECEIPT AND PAY OFF WILL BE 1152. - FINANCE COMMITTEE
210. AUDITOR MALLONN: REQ RE-ISSUANCE AND SALE OF REVITALIZATION ANTICIPATORY NOTE IN MAXIMUM AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,000,000.00 TO PAY OFF CURRENT REVITALIZATION ANTICIPATORY NOTE APPROVED VIA O#58/2016; EXPIRING NOTE DUE ON 7/8/16; FUND TO BE USED WILL BE 1152 (\$1,000,000.00 SUPP APPRO FR UNAPPROP BAL OF 1152 NIP ACQUISITION DEMO DEBT FUND TO 1152 506001 OTHER). - FINANCE COMMITTEE
211. AUDITOR MALLONN: REQ APPROVAL FOR RE-ISSUANCE OF \$2,000,000.00 ANTICIPATORY NOTE TO PAY OFF NOTE SET TO MATURE SAME DATE APPROVED VIA O#1/2016; INSTRUMENT TO BE DATED 7/5/16 AND SHALL MATURE 6 MTHS FR DATE OF ISSUANCE (\$2,000,000.00 SUPP APPRO FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 801001 ANTICIPATORY NOTE OTHER). - FINANCE COMMITTEE
212. LIQUOR CONTROL DIVISION (OHIO): REQ STOCK TRANSFER ON D5 LIQ PERMIT FOR CORK & CANVAS ON 3RD LLC LOCATED @ 322 3RD ST NW, 1ST FLR ONLY. - RECEIVED & FILED
213. MAYOR BERNABEI: REQ LEGISLATION APPROVING 2013 DOWNTOWN MASTER PLAN. - DOWNTOWN DEVELOPMENT COMMITTEE
214. MAYOR BERNABEI: REQ AUTHORIZATION OF APPT OF SEAN S. DURKIN TO SYSTEMS PLANNING BOARD FOR 2-YR TERM BEGINNING IMMEDIATELY THRU 5/30/18. - PERSONNEL COMMITTEE

COMMUNICATIONS CONTINUED:

215. SAFETY DIRECTOR PERRY:
SERVICE DIRECTOR BARTOS: AUTHORIZE APPROP OFFICIAL(S) TO PURCHASE AND/OR LEASE TITLED VEHICLES IN LIST, INCLUDING ALL NECESSARY EQUIP AND COMPONENTS, IN ACCORD WITH SEC 105.08 OF CODIFIED ORD; AUTHORIZE APPROP OFFICIAL(S) TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCHASE DESCRIBED IN LIST THAT EXCEED APPLICABLE DOLLAR AMT THRESHOLD(S); ALTERNATIVELY AUTHORIZE APPROP OFFICIAL(S) TO ENTER INTO CONTRACT FOR PURCHASES DESCRIBED IN #2 IN ACCORD WITH SEC 125.04 OF O.R.C. (STATE CO-OP PURCH THRU DEPT. OF ADMIN SERVS) OR SEC 5513.01 OF O.R.C. (ODOT CO-OP PURCH), EXEMPTING SAID PURCH FR REQUIREMENTS OF COMPETITIVE BIDDING; AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT WITH CITY OF LOUISVILLE, OHIO FOR PURCH OF ONE USED LADDER TRUCK FOR FIRE DEPT. IN AMT NOT TO EXCEED \$130,000.00 IN ACCORD WITH SEC 735.053 OF O.R.C. (\$314,427.48 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 102001 POLICE ADMIN - OTHER - \$87,000.00, 4501 103001 FIRE ADMIN - OTHER - \$56,318.48, 4501 202210 STREET MAINTENANCE - OTHER - \$46,000.00, 4501 204010 OTHER BUILDINGS - OTHER - \$29,000.00, 4501 301001 HEALTH ADMIN - OTHER - \$37,800.00, 4501 701001 JUDGES ADMIN - OTHER - \$58,309.00; \$126,181.52 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 103001 FIRE ADMIN - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (2016 CAPITAL PURCHASE). - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEE
216. SERVICE DIRECTOR BARTOS: REQ \$580,314.15 SUPP APPROP FR UNAPPROP BAL OF 2113 MUNICIPAL ROAD FUND TO 2113 MUNICIPAL ROAD FUND - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (MUNICIPAL ROAD FUND). - FINANCE COMMITTEE
217. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR PURCH OF PROPERTY FR STARK READY MIX & SUPPLY CO. FOR AMT NOT TO EXCEED \$182,500.00; (\$182,500.00 APPROP TRF FR 4501 202042 FULTON ROAD RESURFACING PROJECT, GP1184 TO 4501 202045 PIONEER TRAIL PROJECT, GP1204 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (MULTIUSE REAL PROPERTY PURCHASE). - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND CHAP 127 OF ADMIN CODE OF CODIFIED ORDINANCES OF CITY OF CANTON; EMERGENCY (COLLECTION OF UNPAID DEBTS)
Referred to Judiciary Committee
- 1ST RDG 2. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE 30TH ST NW RESURFACING PROJ, G.P. 1238; AUTHORIZE CITY TO ENTER INTO AGMT(S) FOR AND RECEIVE GRANT FUNDS IN AMT OF \$735,000.00 AND A LOAN IN AMT OF \$765,000.00 FR OHIO PUBLIC WORKS COMMISSION; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE 4579 30TH ST NW RESURFACING PROJ G.P. 1238 FUND; AMEND APPROP O#44/2016; EMERGENCY
Referred to Public Property Capital Improvement and Finance Committee
- 1ST RDG 3. APPROVE STATEMENT OF SERVS TO BE PROVIDED TO PROP OWNER IN THE H.O.F. VILLAGE #1 ANNEXATION AREA, APPROX DATE SERVS WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY OF CANTON; EMERGENCY
Referred to Annexation Committee
- 1ST RDG 4. APPROVE STATEMENT OF SERVS TO BE PROVIDED TO PROP OWNER IN THE FACTORY OF TERROR ANNEXATION AREA, APPROX DATE SERVS WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY OF CANTON; EMERGENCY
Referred to Annexation Committees
- 1ST RDG 5. AUTHORIZE MAYOR OR SERV DIR TO AMEND GRANT AGMT BETWEEN OHIO DEVELOPMENT SERVS AGENCY AND CITY OF CANTON; EMERGENCY (PHASE II ENVIRONMENTAL ASSESSMENT @ "BROWNFIELD SITE", 2408 13TH ST NE)
Referred to Finance Committee
- 1ST RDG 6. APPROVE AND ACCEPT REPLATTING OF LOTS 13337 AND 13338; EMERGENCY (1500 BLOCK OF ALDEN SW, HABITAT FOR HUMANITY, WARD 5)
Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 7. APPROVE AND ACCEPT REPLATTING ALL OF LOTS 7641 AND 7642; EMERGENCY (600 BLOCK OF MARION SW, HABITAT FOR HUMANITY, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 8. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH BRICKER & ECKLER LLP FOR LEGAL SERVS RELATED TO WATER REC FACILITY CONSTRUCTION PROJ; AMEND APPROP O#44/2016; EMERGENCY (\$75,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206005 OPERATIONS AND MAINTENANCE - OTHER)
Referred to Finance Committee
- 1ST RDG 9. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER #1 WITH MICHAEL BAKER, JR., INC. IN AMT NOT TO EXCEED \$149,745.84 FOR MAHONING ROAD NE CORRIDOR PROJECT, PHASE 1, PID 90361, GP 1103, CONSTRUCTION ENGINEERING SERVS, CONTRACT NO. 2014-68; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD 2ND RDG O#10 - O#13; O#13 ADOPTED ON 2ND RDG)**

- 2ND RDG 10. ESTABLISH FAIR REUSE VALUE OF ONE PARCEL OF CITY OWNED PROP; AUTHORIZE SALE AND CONVEYANCE OF SAID PROP; EMERGENCY (PARCEL #02-39460, 2ND ST SW, TO LOCKSHIN ENTERPRISES) (C&ED)
- 2ND RDG 11. AMEND SEC 303.07, ADMINISTRATIVE AND STORAGE FEES FOR IMPOUNDED VEHICLES, OF CODIFIED ORDINANCES (RAISE FEE FR \$30 TO \$50 PER VEHICLE; INCLUDE \$50 FEE IN AUCTION PURCH PRICE) (FIN & JUD)
- 2ND RDG 12. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO STATE COOP PURCHASING/PROFESSIONAL SRVS CONTRACT WITH FEDERAL SIGNAL FOR PURCHASE AND INSTALLATION OF (1) WARNING SIREN; EMERGENCY (WRF) (FIN)
- 92/2016 13. AUTHORIZE MAYOR TO ENTER INTO VARIOUS CONTRACTS UTILIZING CDBG AND ESG FUNDS; EMERGENCY (\$391,000 CDBG FOR SPECIAL REHAB PROJ; \$607,243 CDBG FOR CBDO'S; \$231,450 FOR PUB SERV PROJ; \$212,400 ESG FOR ELIGIBLE PROJ) (C&ED)

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

- 93/2016 14. APPROVE STATEMENT OF SERVS PROVIDED TO PROP OWNER IN TRUMP SCHOOL ANNEXATION AREA, APPROX DATE SERVS WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO THE CITY; EMERGENCY
- 94/2016 15. AMEND APPROP O#44/2016 (\$32,562.79 SUPP APPROP FR UNAPPROP BAL OF 2787 2014 BYRNE MEMORIAL GRANT FUND TO 2787 2014 BYRNE MEMORIAL GRANT - OTHER)
- 95/2016 16. AUTHORIZE HIRING OF ROBERT B. SOBOSKY, P.E., AS FACILITIES ENGINEER OF WATER DEPARTMENT; EMERGENCY
- 96/2016 17. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT AND EXECUTE A PROF SERVS CONTRACT FOR HARRISON AVENUE/44TH ST N.W. WATER MAIN REPLACEMENT PROJ; AMEND APPROP O#44/2016; EMERGENCY (\$950,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207036 HARRISON AVENUE/44TH ST WATER MAIN REPLACEMENT PROJ - OTHER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, June 6, 2016 in Council Caucus Room at 6:00 PM**

- 1) Finance Committee
- 2) Public Property Capital Improvement Committee
- 3) Annexation Committee
- 4) Judiciary Committee
- 5) Public Safety & Thoroughfares Committee

WEDNESDAY, May 25, 2016 at Hall of Fame at 4:30 PM

Downtown Development Committee - Work Session

MISCELLANEOUS BUSINESS: Andrea Perry asked Council to supply her with their contact information if they wish to be alerted to serious matters that arise in their Ward. Member Fisher announced that although the Treasury Dept. rejected the proposed cuts made by Central States, Central States is returning to the Treasury with another round of proposed cuts. Member Smith invited everyone to the Spray Park opening at the Peel Coleman Center on May 28th at noon. Member West asked if Mr. Bailey's bicycle advertising business should be classified in the food truck category, which would lower his vendor fees. Member Fisher asked if the lower fees only applied to a food license. Law Director Martuccio said he would have to look at case law. Member West announced the Downtown Development meeting would be at the Hall of Fame. Law Director Martuccio said Member West asked about new changes in the Fair Labor Standards. Effective 12/1/17, there will be new rules about paying people overtime. An analysis will be done before the time comes. He also congratulated Member Mariol, Angela from the First Tee, and Kody Gonzalez, who were named "Impressive 20 under 40" in the city of Canton.

ADJOURNMENT: 8:45 P.M.**NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JUNE 6, 2016 @ 7:30 PM**