

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

CANTON CITY COUNCIL

SEPTEMBER 26, 2016

**ROLL CALL:** All Members Present

**MOTION TO EXCUSE MEMBERS:** Not Necessary

**INVOCATION:** Bill Smuckler, At-Large Council Member

**PLEDGE OF ALLEGIANCE:** President Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>st</sup> Rdg O#9 & O#10; 2<sup>nd</sup> Rdg O#11 - O#22; O#9 Adopted on 1<sup>st</sup> Rdg; O#10 Adopted as Amended on 1<sup>st</sup> Rdg; O#20 & O#21 Adopted on 2<sup>nd</sup> Rdg; O#22 Adopted as Amended on 2<sup>nd</sup> Rdg)

**PUBLIC HEARINGS:** None

**OLD BUSINESS (PUBLIC SPEAKS):** None

**PUBLIC SPEAKS (CITY BUSINESS):** James Parker spoke about Alan Page Dr SE within the MLK corridor being turned down by Members West and Smith five years ago. He told them at the time he wanted a yes on something, and would identify a need and address it. He chose the playground as a top priority. He feels he is being put off regarding this issue, same as the residents and children who live along Alan Page Dr. He was told there was a playground fund, which is untrue. Last week Majority Leader Morris suggested he speak with Parks & Rec because Council does not get involved with private property. He does not agree and cited the Onesto Bliss Project and Hall of Fame Village. He accused Council of trying to "sell him a pig in a poke." He threatened to take feral cats to the playground to get attention. He suggested that Dillinger and other criminals probably had no playground. He stressed valuing the youth. He spoke about leadership and that it comes down to values, stating that the black male is the most undervalued member of society. He mentioned Member Smith's son as an example, at which time President Schulman ruled him out of order. Jonathan Bailey thanked Council for information, and he knows what he does is 100% legal. He spoke about an idea he has to sharpen knives for businesses. He has the right skills to do this, and is asking Council if this is a right thing to do in light of all the violent crime. President Schulman advised that someone would speak with him after the meeting. He thanked Council again for keeping him legal.

**INFORMAL RESOLUTIONS:**

58. COUNCIL-AS-A-WHOLE: SUPPORTING ISSUE 51, SARTA'S SALES TAX RENEWAL. - ADOPTED

**COMMUNICATIONS:**

351. MAYOR BERNABEI: REQ AUTHORIZATION TO APPT TOM HARMON TO JACKSON-CANTON JOINT ECONOMIC DEVELOPMENT DISTRICT BD OF DIRECTORS. - PERSONNEL COMMITTEE
352. MAYOR BERNABEI: ADVISING OF ISSUANCE OF EXECUTIVE ORDER 2016-002, "MAYOR'S COMMUNITY RELATIONS COMMISSION". - RECEIVED & FILED
353. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO RECEIVE AND APPROPRIATE IMPAIRED DRIVING ENFORCEMENT PROGRAM (IDEP) GRANT IN AMT OF \$26,049.00 FR OH DEPT OF PUBLIC SAFETY, GRANT #IDEP-2017-76-00-00-00392-00; AUTHORIZE AUDITOR TO CREATE FUND IN WHICH TO PLACE GRANT MONEY UPON RECEIPT FR OH DEPT OF PUBLIC SAFETY FOR USE BY POLICE DEPT. - FINANCE COMMITTEE
354. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO RECEIVE AND APPROPRIATE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT IN AMT OF \$17,366.00 FR OH DEPT OF PUBLIC SAFETY, GRANT #STEP-2017-76-00-00-00478-00; AUTHORIZE AUDITOR TO CREATE FUND IN WHICH TO PLACE GRANT MONEY UPON RECEIPT FR OH DEPT OF PUBLIC SAFETY FOR USE BY POLICE DEPT. - FINANCE COMMITTEE
355. SERVICE DIRECTOR BARTOS: REQ \$39,225.00 SUPP APPROP FR UNAPPROP BAL OF 4506 INFRASTRUCTURE BOND FUND TO 4506 202001 ENGINEERING ADMINISTRATION - OTHER FOR COMPLETION OF SIDEWALKS AND CURB RAMPS AT GEORGEVIEW ESTATES NO. 3, G.P. 1253. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
356. STARK CO. COMMISSIONERS: REQ ANNEXATION OF 2.797 ACRES IN PLAIN TWP TO CITY OF CANTON (HOF VILLAGE #1). - PLANNING COMMISSION
357. TREASURER PEREZ: REPORT OF AUGUST, 2016 BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 9/12/16. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

- 1<sup>ST</sup> RDG 1. AUTHORIZE MAYOR OR SERV DIR TO CONVEY CITY-OWNED REAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO CANTON COMMUNITY IMPROVEMENT CORP; EMERGENCY (PARCELS 280872, 280873, 284986, 280871, 285060 TO REFUGE OF HOPE)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 2. AMEND APPROP O#44/2016; EMERGENCY (\$29,607.53 FR UNAPPROP BAL OF 2766 MUNICIPAL PROBATION SERVICES FUND TO 2766 701001 MUNICIPAL PROBATION SERVICES - PERSONNEL)  
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:**

- 1<sup>ST</sup> RDG 3. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE GRANT IN AMT NOT TO EXCEED \$175,000.00 FOR ECONOMIC AND CIVIC DEVELOPMENT OF CITY; AMEND APPROP O#44/2016; EMERGENCY (\$175,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER)  
Referred to Community & Economic Development and Finance Committees
- 1<sup>ST</sup> RDG 4. AMEND APPROP O#44/2016; EMERGENCY (\$19,000.00 FR UNAPPROP BAL OF 2155 CITY PARKING DECK/LOT FUND TO 2155 104040 - PERSONNEL)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. APPROVE AND ACCEPT REPLATTING AND RENUMBERING OF PART OF OUTLOTS 132 AND 133, PART OF LOTS 6203, 6204, 6205, 6206, AND 6207, 33172 AND 39866 AND ALL OF LOTS 17600, 17601, 17602, 17603, 39867, AND 39868; EMERGENCY (NEILSON PROPERTY LTD, 1100 BLOCK MARKET AVE N)  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 6. ESTABLISH FAIR MARKET VALUE OF REAL PROP; AUTHORIZE MAYOR AND/OR SERV DIR, OR THEIR DESIGNEE, TO ENTER INTO AGMTS FOR PURCH/ACQ OF PARCELS FOR FEE SIMPLE TAKES, PERM EASEMENTS, AND TEMP EASEMENTS FOR 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETScape PROJ; EMERGENCY  
Referred to Environmental & Public Utilities and Public Property Capital Improvement Committees
- 1<sup>ST</sup> RDG 7. APPROVE CANTON CITY WATER MAIN EXTENSION TO PLAIN TWP; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMTS FOR EXTENSION OF SAID WATER MAIN; EMERGENCY (LEXINGTON FARMS NORTH NUMBERS. 2 & 3)  
Referred to Environmental & Public Utilities Committee
- 1<sup>ST</sup> RDG 8. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF ONE (1) COMBINATION SEWER CLEANER, ONE (1) TANDEM AXLE CAB/CHASSIS AND ONE (1) DUMP BODY; OR TO ALTERNATIVELY PURCH SAID VEHICLES PURSUANT TO ANY COOP PURCH AGMTS AUTHORIZED BY LAW; EMERGENCY (COLLECTION SYSTEMS DEPT)  
Referred to Public Property Capital Improvement Committee

***(COUNCIL RECESSED AT 7:44 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #9; RECONVENED AT 7:46 P.M.)***

- 164/2016 9. AMEND APPROP O#44/2016; EMERGENCY (\$132,400.00 SUPP APPROP FR UNAPPROP BAL OF 5701 BUILDING CODE FUND TO 5701 101501 CODE ENFORCEMENT - OTHER FOR \$60,000.00 AND TO 5701 101501 CODE ENFORCEMENT - OTHER FOR \$72,400.00; \$19,000.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARKS OPERATING FUND TO 2530 401060 PARKS ADMIN - OTHER; \$26,000.00 APPROP TRF FR 1001 101501 CODE ENFORCEMENT - OTHER TO 1001 601001 COUNCIL - OTHER FOR \$5,000.00 AND TO 1001 852001 TREASURER - PERSONNEL FOR \$21,000.00)  
Referred to Finance Committee

***(COUNCIL RECESSED AT 7:46 P.M. FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #10; RECONVENED AT 7:48 P.M.)***

**AS AMENDED**

- 165/2016 10. AUTHORIZE MAYOR OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH OF TWO (2) FORD ESCAPE SUV'S; OR TO ALTERNATIVELY PURCH SAID VEHICLES PURSUANT TO ANY COOP PURCHASING AGMTS AUTHORIZED BY LAW; EMERGENCY (CODE ENFORCEMENT)  
Referred to Public Property Capital Improvement Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**

***(SUSPENDED RULE 22A TO ADD 2<sup>ND</sup> RDG O#11 - O#22; O#20 & O#21 ADOPTED ON 2<sup>ND</sup> RDG; O#22 ADOPTED AS AMENDED ON 2<sup>ND</sup> RDG)***

- 2<sup>ND</sup> RDG 11. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (KEMPTHORN) **PUB HRG 10/3/16 @ 7:30 PM** (JUD)
- 2<sup>ND</sup> RDG 12. AUTHORIZE MAYOR OR SERV DIR TO AMEND I-77/FAIRCREST COOP ECONOMIC DEVELOPMENT AGMT TO INCLUDE 77 GULLIVERS - 2414 FAIRCREST ST SW ANNEXATION AREA; EMERGENCY (ANNEX)
- 2<sup>ND</sup> RDG 13. AMEND APPROP O#44/2016; EMERGENCY (\$3,000.00 SUPP APPROP FR UNAPPROP BAL 7506 BUILDING DEPARTMENT STATE ASSESSMENT FUND TO 7506 101501 - OTHER) (FIN)
- 2<sup>ND</sup> RDG 14. AMEND APPROP O#44/2016; EMERGENCY (\$5,000.00 SUPP APPROP FR UNAPPROP BAL 2812 EMS TRAINING AND EQUIPMENT FUND TO 2812 103001 SUPPLIES - OTHER) (FIN)
- 2<sup>ND</sup> RDG 15. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PURCH OPTION AGMT WITH GROFFRE INV, LTD FOR SALE AND PURCH OF PARCELS OF REAL PROP OWNED BY CITY OF CANTON AND ESTABLISH FAIR MARKET VALUE OF PROP PURSUANT TO CITY'S LAND REUTILIZATION PROG; EMERGENCY (C&ED & FIN)

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:**

- 2<sup>ND</sup> RDG 16. AUTHORIZE MAYOR OR SAF DIR TO RECEIVE AND APPROP FIREFIGHTERS SUPPORT FOUNDATION EQUIPMENT GRANT IN AMT OF \$4,000.00 TO PURCH WATER RESCUE EQUIP OR RELATED EQUIP FOR FIRE DEPT; AMEND APPROP O#44/2016; EMERGENCY (\$4,000.00 SUPP APPROP FR UNAPPROP BAL OF 2783 FIRE DONATION FUND TO 2783 103001 SUPPLIES - OTHER) (FIN)
- 2<sup>ND</sup> RDG 17. AUTHORIZE CITY AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$5,658.70 TO VIEWU, LLC.; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 18. AMEND APPROP O#44/2016; EMERGENCY (\$295,000.00 SUPP APPROP FR UNAPPROP BAL 5201 WATER FUND TO 5201 207001 WATER ADMINISTRATION - OTHER - \$10,000.00, TO 5201 207022 WATER DISTRIBUTION - OTHER - \$285,000.00) (FIN)
- 2<sup>ND</sup> RDG 19. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 1 FOR EAST SIDE INTERCEPTOR SANITARY SEWER RELOCATION PROJ, GP 1113, CONSTRUCTION ENGINEERING SERVS, CONTRACT NO. 2015-75, WITH MICHAEL BAKER JR., INC. IN AMT OF \$34,462.71; AUTHORIZE AUDITOR TO PAY A MORAL OB IN AMT NOT TO EXCEED \$34,462.71 TO MICHAEL BAKER JR., INC.; EMERGENCY (EPU & FIN)
- 166/2016 20. AUTHORIZE MAYOR OR SERV DIR TO ACCEPT AND ENTER INTO THE JEDD AGMT FOR STOLLE MACHINERY INC. IN JACKSON TOWNSHIP; EMERGENCY (C&ED)
- 167/2016 21. AMEND APPROP O#44/2016; EMERGENCY (\$130,500.00 SUPP APPROP FR UNAPPROP BAL 2314 FAMILY HEALTH FUND TO 2316 301001 FAMILY HEALTH - 611 PAYROLL & WAGES - \$80,000.00, TO 2316 301001 FAMILY HEALTH - 621 FRINGES - \$33,000.00, TO 2316 301001 FAMILY HEALTH - 700 OTHER - \$17,500.00) (FIN)

**AS AMENDED**

- 168/2016 22. ESTABLISH FAIR MARKET VALUE OF REAL PROP; AUTHORIZE MAYOR AND/OR SERV DIR OR DESIGNEE TO ENTER INTO AGMTS FOR PURCH/ACQ OF PARCELS FOR FEE SIMPLE TAKES, PERM EASEMENTS AND TEMP EASEMENTS FOR MAHONING ROAD CORRIDOR PROJ; EMERGENCY (PPCI)

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

- 169/2016 23. AMEND APPROP O#44/2016; EMERGENCY (\$4,000.00 SUPP TRF FR 1001-701001 70514 JUDGES ADMINISTRATION - OTHER TO 1001-701001 61128 JUDGES ADMINISTRATION - PERSONNEL)
- 170/2016 24. AMEND APPROP O#44/2016; EMERGENCY (\$70,000.00 SUPP APPROP FR UNAPPROP BAL 4501 CAPITAL PROJECTS FUND TO 4501-202210 CAPITAL PROJECTS FUND - OTHER)
- 171/2016 25. APPROVE AND ACCEPT REPLATTING OF ALL OF LOTS 21320, 21321, 21322 AND PART OF LOT 21323; EMERGENCY (HABITAT FOR HUMANITY, 1800 BLOCK OF EDWARDS AVE NE)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, October 3, 2016 in Council Caucus Room at 6:30 PM**

- 1) Finance Committee
- 2) Environmental & Public Utilities Committee
- 3) Public Property Capital Improvement Committee
- 4) Personnel Committee
- 5) Community & Economic Development Committee
- 6) Public Safety & Thoroughfares Committee

**MISCELLANEOUS BUSINESS:** Member West stated that he was offended by Mr. Parker's remarks. He said that he and Member Smith met with him years ago to do Ralph Hay Way, and got it through Council that week. He feels that Mr. Parker brings a lot of creative ideas to the city and appreciates his advocacy, but tonight he was out of line with Member Smith. He feels that there is no stronger advocate than Member Smith for recreation and young people. He wants Council and the public to know that no one fights harder than Member Smith for these issues in Ward 4. He attended the SARTA ribbon cutting for the hydrogen fuel tanks. He feels they did a wonderful job, and thinks everyone should take a ride on that bus. He also asked that everyone support Issue 51. Service Director Bartos recognized Sanitation employees, Sean Moore, Scott Showalter and Chavriel Ellis, for picking up a Ward 5 constituent's trash even though she had forgotten to take it out. Member Dougherty stated that in his 27 years as a Councilman he has received few complaints about the Sanitation Dept. He knows Sean Moore and the kind of person he is, and thanked Service Director Bartos for recognizing them. Deputy Mayor Williams announced that the Blue Devils beat the Irish this weekend in football. Member Morris asked him to drive up to North Canton and announce that at their Council meeting.

**ADJOURNMENT:** 8:15 P.M.