

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

FEBRUARY 6, 2017

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: (President Schulman and Member Mack Absent)

INVOCATION: Jason Scaglione, Ward 3 Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem Morris

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#6; 2nd Rdg O#7 - O#16; O#6 Adopted on 1st Reading; O#17 Adopted as Amended)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Irene MacDougall, an attorney working on the Hall of Fame Village, wanted to say that she's happy to be doing something for the city and the people in the city, and thinks Council will look back and be happy to have been a part of it also.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

47. AUDITOR MALLONN: MNTHLY RPT BY FUND 1/1/17 - 1/31/17. - RECEIVED & FILED
48. COUNCIL MEMBER FISHER, WARD 5: REQ HONORARY NAME CHANGE ON 13TH ST SW FR CLARENDON AVE SW TO WERTZ AVE SW TO J. BABE STEARN WAY SW IN HONOR OF J. BABE STEARN. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
49. FINANCE DIRECTOR CROUSE: REQ LEGISLATION TO RENAME FUND #2774 BYRNE MEM JUSTICE ASSIST GR 09 TO FUND #2774 2016 COPS HIRING PROG GRANT FUND . - FINANCE COMMITTEE
50. LIQUOR CONTROL DIV (OHIO): REQ NEW D1 D3 PERMIT FOR 3773 CLEVELAND INC DBA EURO GYRO @ 3717 CLEVELAND AVE NW. - RECEIVED & FILED
51. LIQUOR CONTROL DIV (OHIO): REQ TRAN OF B5 PERMIT FROM LA DICK IMPORTS LLC @ 400 CHERRY AVE SE UNIT 1 TO L A DICK IMPORTS LLC DBA L A DICK IMPORTS @ 935 MCKINLEY AVE NW. - RECEIVED & FILED
52. MAYOR BERNABEI: REQ RE-APPT OF MR. BRIAN SKILES TO CANTON RECREATION BOARD FOR 5-YR TERM COMMENCING RETRO FR 1/1/17 TO 12/31/21. - PERSONNEL COMMITTEE
53. SERVICE DIRECTOR BARTOS: WATER RECLAMATION FACILITY (WRF) 2016 ANNUAL RPT OF OPERATION. - RECEIVED & FILED
54. SERVICE DIRECTOR BARTOS: AUTHORIZE LAW DIRECTOR TO ENTER INTO SETTLEMENT AGMT WITH SHOOK CONSTRUCTION CO FOR SETTLEMENT OF CLAIMS ASSOCIATED WITH CONSTRUCTION AT CANTON WRF FACILITY; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 3 TO THE CITY OF CANTON WRF PHOSPHORUS/TOTAL NITROGEN PROJ - CONTRACT NO. 26 WITH SHOOK CONSTRUCTION CO. IN AMT OF \$262,205.23; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 4 TO CITY OF CANTON WRF PHOSPHORUS/TOTAL NITROGEN PROJ - CONTRACT NO. 26 WITH SHOOK CONSTRUCTION CO. IN AMT OF \$375,468.00; MAKE \$255,651.77 INTRA-FUND TRF FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJ FUND; \$637,673.23 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJ FUND TO 5442 206054 WRF PHOSPHORUS PROJ (CONSTRUCTION) - OTHER; \$255,651.77 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJ FUND TO 5442 206055 SHOOK CONSTRUCTION CO. INDEMNIFICATION - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (FINE SCREEN EQUIPMENT MALFUNCTION AND ADDITIONAL CHARGES IN PROJ SCOPE). - FINANCE COMMITTEE
55. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT AMENDMENT WITH CT CONSULTANTS, INC. IN AMT NOT TO EXCEED \$384,000.00; MAKE \$384,000.00 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJ FUND TO 5442 206054 WRF PHOSPHORUS (CONSTRUCTION) - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (ADDT'L ENGINEERING FEES). - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

56. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACT; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT FOR CONSTRUCTION ENGINEERING SERVS; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS WITH OHIO POWER COMPANY (AEP), TIME WARNER CABLE/CHARTER, AT&T, AND/OR ANY OTHER ASSOCIATED ENTITIES FOR UTILITY WORK; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT FOR AND RECEIVE GRANTS AND/OR LOANS FR VARIOUS FUNDING SOURCES, INCLUDING BUT NOT LIMITED TO OHIO DEPT OF TRANS (ODOT), STARK CO. AREA TRANS STUDY (SCATS), STARK AREA REG TRANSIT AUTH (SARTA), OHIO PUB WORKS COMM (OPWC), AND STARK CO.; MAKE \$466,500.00 SUPP APPROP (SCATS/ODOT CMAQ FUNDING) FR UNAPPROP BAL OF 4566 MAHONING RD. CORRIDOR PROJ, GP 1103 FUND TO 4566 202079 MAHONING RD. CORRIDOR PROJ, GP 1103 - OTHER; \$6,900,000.00 SUPP APPROP (ODOT TRAC FUNDING) FR UNAPPROP BAL OF 4566 MAHONING RD. CORRIDOR PROJ, GP 1103 FUND TO 4566 202079 MAHONING RD. CORRIDOR PROJ, GP 1103 - OTHER; \$6,900,000.00 SUPP APPROP (ODOT TRAC FUNDING) FR UNAPPROP BAL OF 4566 MAHONING RD. CORRIDOR PROJ, GP 1103 FUND TO 4566 202079 MAHONING RD. CORRIDOR PROJ, GP 1103 - OTHER; \$1,500,000.00 SUPP APPROP (OPWC \$600,000.00 GRANT/\$900,000.00 LOAN FUNDING) FR UNAPPROP BAL OF 4566 MAHONING RD. CORRIDOR PROJ, GP 1103 FUND TO 4566 202079 MAHONING RD. CORRIDOR PROJ, GP 1103 - OTHER; \$500,000.00 SUPP APPROP (CITY WATER OPER FUNDING) FR UNAPPROP BAL OF 5201 WATER OPER FUND TO 5201 202079 MAHONING RD. CORRIDOR PROJ, GP 1103 - OTHER; \$250,000.00 SUPP APPROP (CITY SEWER OPER FUNDING) FR UNAPPROP BAL OF 5410 SEWER OPER FUND TO 5410 202079 MAHONING RD. CORRIDOR PROJ, GP 1103 - OTHER; \$1,357,203.00* SUPP APPROP (SARTA FTA FUNDING) FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202079 MAHONING RD. CORRIDOR PROJ, GP 1103 - OTHER, *4501 CAP FUND WILL BE REIMBURSED THIS AMT BY SARTA FTA FUNDING; \$500,000.00 SUPP APPROP (CITY CAPITAL FUNDING) FR UNAPPROP BAL OF 4501 CAP FUND TO 4501 202079 MAHONING RD. CORRIDOR PROJ, GP 1103 - OTHER; \$275,000.00 SUPP APPROP (MUNICIPAL ROAD FUNDING) FR UNAPPROP BAL OF 2113 MUNICIPAL ROAD FUND TO 2113 202079 MAHONING RD. CORRIDOR PROJ, GP 1103 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (MAHONING RD CORRIDOR, PHASE 2 STA-SR153-0.80, G.P. 1103, PID'S 90365 AND 91594 CONSTRUCTION AND CONSTRUCTION ENGINEERING). - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
57. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AS OF DECEMBER 2016 AND OUTSTANDING INVESTMENTS AS OF DECEMBER 31, 2016 AND FEBRUARY 1, 2017. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE AUDITOR TO ENTER INTO 3-YR PROF SERVS AGMT WITH JULIAN & GRUBE, INC. IN AMT NOT TO EXCEED \$25,400.00 ANNUALLY; EMERGENCY (COVER 2016, 2017, 2018 AUDIT PERIODS)
Referred to Finance Committee
- 1ST RDG 2. AMEND APPROP O#257/2016; EMERGENCY (\$27,600.00 INTER-FUND TRF FR 1001 GENERAL FUND TO 1105 POLICE SETTLEMENT FUND) (BOBBY JO WRIGHT SETTLEMENT)
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZE MAYOR OR SERV DIR TO ACCEPT AND ENTER INTO FITZPATRICK-JOINT ECONOMIC DEVELOPMENT DISTRICT AGMT AREA IN JACKSON TOWNSHIP; EMERGENCY (JEDD)
Referred to Community & Economic Development Committee
- 1ST RDG 4. AUTHORIZE MAYOR OR SERV DIR, OR DESIGNEE, TO NEGOTIATE AND ENTER INTO AGMT FOR SALE OR DONATION OF CITY-OWNED PROP FOR PERM ROAD RIGHT-OF-WAY AND TEMP CONSTRUCTION EASEMENTS AS PART OF MIDDLEBRANCH AND 30TH ST RECONFIGURATION; EMERGENCY
Referred to Public Safety & Thoroughfares and Finance Committees
- 1ST RDG 5. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT WITH DUBLIN TECHNOLOGIES, INC FOR UPGRADE OF WATER DEPT SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM AND TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH OF COMPUTERS, LAPTOPS, SOFTWARE LICENSES, AND MISCELLANEOUS ASSOCIATED ITEMS REQUIRED FOR UPGRADE; ALTERNATIVELY AUTHORIZE FOREGOING PURCH IN ACCORDANCE WITH COOP PURCH PROGRAM OR PROCUREMENT PROCEDURE AUTHORIZED BY LAW; AMEND APPROP O#257/2016; EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207012 WATER PUMPING MAINTENANCE - OTHER)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

(COUNCIL RECESSED AT 7:37 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #6; RECONVENED AT 7:40 PM)

- 16/2017** 6. AUTHORIZE AUDITOR TO PAY MORAL OB TO CARGILL, INC. AND DRS SERVICES INC.; EMERGENCY (\$62,360.67 TO CARGILL FOR ROAD SALT; \$4,647.82 TO DRS SERVICES FOR ROAD SALT CONVEYANCE)
Referred to Finance Committees

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#7 - O#16)**

- 2ND RDG** 7. AMEND APPROP O#257/2016; EMERGENCY (\$20,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 102001 POLICE ADMIN - OTHER) (BULLETPROOF VESTS)
(PPCI & FIN)
- 2ND RDG** 8. AMEND APPROP O#257/2016; EMERGENCY (\$8,353,850.00 SUPP APPROP FR UNAPPROP BAL OF 4581 12TH ST BRIDGE REPLACEMENT FUND TO 4581 202091 12TH ST BRIDGE REPLACEMENT - OTHER; \$273,297.00 SUPP APPROP FR UNAPPROP BAL OF 2113 MUNICIPAL ROAD FUND TO 2113 202091 12TH ST BRIDGE REPLACEMENT - OTHER)
(PPCI & FIN)
- 2ND RDG** 9. AUTHORIZE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF VARIOUS COMPONENT CODES OF CODIFIED ORDINANCES OF CANTON, OH; EMERGENCY (O#'S 48/2016, 59/2016, 86/2016, 101/2016, 111/2016, 136/2016 & 252/2016; TRAFFIC CODE SEC'S 501.04, 505.071, 529.01 & 529.03)
(JUD)
- 2ND RDG** 10. AUTHORIZE LAW DIR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF 2016 SUPPLEMENT TO CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR SALE OF SAME; EMERGENCY
(JUD)
- 2ND RDG** 11. APPROVE AND ACCEPT REPLATTING AND RENUMBERING OF PART OF LOTS 6538 AND 2460; EMERGENCY (HABITAT FOR HUMANITY, 1012 4TH ST SW, WARD 4)
(PS&T)
- 2ND RDG** 12. APPROVE AND ACCEPT REPLATTING OF LOTS 22429 AND 22430; EMERGENCY (HABITAT FOR HUMANITY, 2222 8TH ST NE, WARD 4)
(PS&T)
- 2ND RDG** 13. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SRVS CONTRACT WITH CTI ENGINEERS, INC. FOR 13TH ST NW LIFT STATION ELECTRICAL PANEL REPLACEMENT, GP 1254; AMEND APPROP O#257/2016; EMERGENCY (\$19,189.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206319 13TH ST NW LIFT STATION ELECTRICAL PANEL REPLACEMENT, GP 1254 - OTHER)
(FIN)
- 2ND RDG** 14. DECLARE VARIOUS PARCELS OF CITY-OWNED PROPERTY TO BE VACATED AND INTENT TO SELL SAID PROPERTIES; AUTHORIZE MAYOR, SERV DIR, OR THEIR DESIGNEE TO GIVE NOTICE OF INTENTION TO SELL SAID PROPERTIES; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SRV CONTRACTS WITH ONE OR MORE PROF AUCTIONEERS NECESSARY TO EXECUTE SALE OF SAID PROPERTIES; EMERGENCY (UNUSED PARK PROP, 200 ECONOMY CT NE, 252 LAWN AVE SW, 1030 LAWN AV SW, 740 MARION AVE SW, WAYNESBURG DR SE - PARCEL #1380091)
(PARKS & REC AND FIN)
- 2ND RDG** 15. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT TO PURCH OF (1) CATERPILLAR 926M WHEEL LOADER AND (1) CARGO VAN; OR TO ALTERNATIVELY PURCH SAID VEHICLES PURSUANT TO ANY COOP PURCH PROG OR PROCUREMENT PROCEDURE AUTHORIZED BY LAW; EMERGENCY (WATER DEPT)
(PPCI)
- 2ND RDG** 16. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT WITH TASOS ELECTRIC CO, INC. FOR STORM SEWER CONNECTION AND PRIVATE DRAINAGE EASEMENT; EMERGENCY
(E & PU)

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

- 17/2017** 17. AMEND TITLE NINE OF CANTON CITY TAX CODE TO ESTABLISH CHAPTER 187 ADMISSIONS TAX, OF FIVE PERCENT IN AREA OF CITY DESIGNATED AS TOURISM DEVELOPMENT DISTRICT IN SUPPORT OF REDEVELOPMENT ACTIVITIES WITHIN AREA OF CITY DESIGNATED AS TOURISM DEVELOPMENT DISTRICT AND IN SUPPORT OF HOF VILLAGE REDEVELOPMENT PROJ; EMERGENCY
- 18/2017** 18. ESTABLISH SPECIAL FUND TO BE DESIGNATED AS "HOFV FUND"; EMERGENCY (TOURISM DEVELOPMENT DISTRICT)
- 19/2017** 19. AMEND SEC 185.14 OF ADMINISTRATIVE CODE OF CANTON CITY CODIFIED ORDINANCES TO AUTHORIZE REALLOCATION OF EXISTING TRANSIENT LODGING TAX FUNDS TO SUPPORT REDEVELOPMENT OF HOF VILLAGE IN CONNECTION WITH CANTON'S TOURISM DEVELOPMENT DISTRICT; EMERGENCY
- 20/2017** 20. FOSTER AND DEVELOP TOURISM IN AREA OF CANTON DESIGNATED AS TOURISM REDEVELOPMENT DISTRICT, PURSUANT TO ORC SEC 715.014(D) AND 5739.101, LEVYING TAX ON PRIVILEGE OF ENGAGING IN BUSINESS OF MAKING CERTAIN TYPES OF SALES IN TOURISM DEVELOPMENT DISTRICT; EMERGENCY

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

- 21/2017** 21. APPROVE STATEMENT OF SERVS BE PROVIDED TO PROP OWNER IN HOF VILLAGE #3 ANNEXATION AREA, APPROX DATE SERVS WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO CITY OF CANTON; EMERGENCY
- 22/2017** 22. AMEND APPROP O#257/2016; EMERGENCY (\$10,500.00 APPROP TRF FR 2760 102001 FEDERAL FORFEITURE FUND - OTHER TO 2760 102001 FEDERAL FORFEITURE FUND - PERSONNEL)
- 23/2017** 23. AUTHORIZE MAYOR OR SERV DIR TO MAKE APPLICATION FOR AND ACCEPT FUNDS FR OHIO HOUSING FINANCE AGENCY FOR NEIGHBORHOOD INITIATIVE PROG; TO DEMOLISH AND MAINTAIN ACQUIRED, BLIGHTED PROP; TO ENTER INTO VARIOUS CONTRACTS AND CO-OP AGMTS WITH VARIOUS ENTITIES TO EFFECTIVELY ADMINISTER PROG; EMERGENCY
- 24/2017** 24. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$21,323.00 TO C.R.S. GENERAL CONTRACTING; EMERGENCY (DEMO 617/619 CHERRY AVE NE)
- 25/2017** 25. AMEND APPROP O#257/2016; EMERGENCY (\$234,600.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARK OPERATING FUND TO 2530 401040 J BABE STEARN CENTER - OTHER - \$76,000.00; TO 2530 401045 EDWARD PEEL COLEMAN CENTER - OTHER - \$136,600.00; TO 2530 401060 SPECIAL PARKS - OTHER - \$22,000.00)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, February 13, 2017 in Council Caucus Room at 6:45 PM**

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 2) Public Safety & Thoroughfares Committee

MISCELLANEOUS BUSINESS: None

ADJOURNMENT: 7:57 PM

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, FEBRUARY 13, 2017 @ 7:30 PM