

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

FEBRUARY 13, 2017

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Robert Fisher, Ward 5 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#5, O#7 & O#8; 2nd Rdg O#9 - O#13; O#5, O#7 & #8 Adopted on 1st Reading)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Henry Preston spoke about the paving of the roads in the city. He specifically mentioned the project at 30th Street and Harvard. He stated that they did a good job on 37th Street because at the cross streets they came up 12 to 20 feet, but on 30th Street and Harvard, they did nothing like that at all. He compared Harvard to a ball park with grass. Everyone drives over it when it's wet, and it gets rutted and uneven, then when it freezes you've got a rutted field. When a street like this is paved, you must go down far enough so the surface has something to adhere here. They just went over the ruts on Harvard, and now it's falling apart again. He asked Member Morris to contact Street Superintendent Rorar to take a look at it, and find out why that happened.

INFORMAL RESOLUTIONS:

14. COUNCIL-AS-A-WHOLE: OPPOSING OHIO GOVERNOR'S PROPOSED 2017-2018 BUDGET AS IT RELATES TO MUNICIPAL INCOME TAX. - ADOPTED
15. COUNCIL MBR FISHER, WARD 5: HONORARY NAMING OF 13TH ST SW FROM CLARENDON AVE SW TO WERTZ AVE SW AS "J. BABE STEARN WAY SW." - ADOPTED
16. PERSONNEL COMMITTEE: CONFIRMING MAYOR'S RE-APP'T OF BRIAN SKILES TO CANTON RECREATION BOARD FROM 1/1/17 TO 12/31/21. - ADOPTED

COMMUNICATIONS:

58. AGENT FOR PETITIONER SLIMAN: ANNEXATION PETITION DOCS FILED WITH STARK COUNTY COMMISSIONERS ON 2/9/17 IN HOF VILLAGE #3 ANNEXATION - RECEIVED & FILED
59. AUDITOR MALLONN: REQ ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTE IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$2,000,000.00 FOR OPERATION OF HERCULES REDEVELOPMENT PROJECT I. - FINANCE COMMITTEE
60. AULTMAN HEALTH FOUNDATION: REQ VACATION OF MOSLEY CT SW FROM NORTH LINE OF LOTS 42638 AND 42640 TO SOUTH LINE OF LOT 10193. - PLANNING COMMISSION
61. ENGINEERING DEPT: LIST OF ADDRESS RANGES FOR PILOT PROPERTY ANNEXATION. - RECEIVED & FILED
62. ENGINEERING DEPT: LIST OF ADDRESS RANGES FOR TRUMP SCHOOL PROPERTY ANNEXATION. - RECEIVED & FILED
63. MAYOR BERNABEI: REQ ADOPTION OF GENERAL FUND BUDGET AND APPROPS FOR 2017. - FINANCE COMMITTEE
64. SAFETY DIRECTOR PERRY: REQ LEGISLATION TO FORMALIZE AMENDMENTS TO EXISTING CPPA AND FOP CONTRACTS, WITH 2 YR EXTENSIONS FOR EACH, SUBJECT TO WAGE & HEALTHCARE ARTICLE REOPENERS. - FINANCE AND PERSONNEL COMMITTEES
65. TREASURER PEREZ: MTHLY RPT OF PARKING METER REVENUE FOR JANUARY, 2017. - RECEIVED & FILED
66. TREASURER PEREZ: MTHLY RPT OF DEPOSITS AND PAY-INS FOR AMBULANCE LOCK BOX ACCT FOR JANUARY, 2017. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

1ST RDG 1. AMEND CHAPTER 1352, REGISTRATION AND MAINTENANCE STANDARDS OF VACANT NON-RESIDENTIAL COMMERCIAL AND INDUSTRIAL PROPERTY
Referred to Judiciary Committee

1ST RDG 2. AUTHORIZE AUDITOR TO RENAME 2774 BYRNE MEM JUSTICE ASSIST GR 09 TO FUND 2774 2016 COPS HIRING PROG GRANT FUND; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

1ST RDG 3. AUTHORIZE LAW DIRECTOR TO ENTER INTO SETTLEMENT AGMT WITH SHOOK CONSTRUCTION CO.; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDERS NOS. 3 & 4 TO WRF PHOSPHOROUS/NITROGEN PROJ - CONTRACT NO. 26; AMEND APPROP O#257/2016; EMERGENCY (\$255,651.77 INTRA-FUND TRF FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJECT FUND; \$637,673.23 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJECT FUND TO 5442 206054 WRF PHOSPHORUS PROJECT - OTHER; \$255,651.77 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJECT FUND TO 5442 206055 SHOOK CONSTRUCTION CO. INDEMNIFICATION - OTHER)
Referred to Finance Committee

1ST RDG 4. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SRVS CONTRACT AMENDMENT WITH CT CONSULTANTS, INC. IN AMT NOT TO EXCEED \$384,000.00; AMEND APPROP O#257/2016; EMERGENCY (\$384,000.00 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJECT FUND TO 5442 206054 WRF PHOSPHORUS PROJECT (CONSTRUCTION) - OTHER)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:52 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES TO DISCUSS ORDINANCE #5; RECONVENED AT 7:56 PM)

26/2017 5. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACT; PROF SRVS CONTRACT; CONTRACTS WITH OHIO POWER CO. (AKA AEP), TIME WARNER CABLE/CHARTER (NKA SPECTRUM), AT&T, AND/OR ANY OTHER ASSOCIATED ENTITIES FOR UTILITY WORK; AND ENTER INTO AGMT(S) FOR AND RECEIVE GRANT AND/OR LOANS FROM VARIOUS FUNDING SOURCES RELATED TO MAHONING RD CORRIDOR PROJECT, PHASE 2; AMEND APPROP O#257/2016; EMERGENCY (\$466,500.00 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PROJECT, GP 1103 FUND TO 4566 202079 MAHONING RD CORRIDOR PROJECT, GP 1103 - OTHER; \$6,900,000.00 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PROJECT, GP 1103 FUND TO 4566 202079 MAHONING RD CORRIDOR PROJECT, GP 1103 - OTHER; \$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PROJECT, GP 1103 FUND TO 4566 202079 MAHONING RD CORRIDOR PROJECT, GP 1103 - OTHER; \$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER OPERATING FUND TO 5201 202079 MAHONING RD CORRIDOR PROJECT, GP 1103 - OTHER; \$250,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 202079 MAHONING RD CORRIDOR PROJECT, GP 1103 - OTHER; \$1,357,203.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND* TO 4501 202079 MAHONING RD CORRIDOR PROJECT, GP 1103 - OTHER, *THE 4501 CAPITAL FUND WILL BE REIMBURSED THIS AMT BY SARTA FTA FUNDING; \$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202079 MAHONING RD CORRIDOR PROJECT, GP 1103 - OTHER; \$275,000.00 SUPP APPROP FR UNAPPROP BAL OF 2113 MUNICIPAL ROAD FUND TO 2113 202079 MAHONING RD CORRIDOR PROJECT, GP 1103 - OTHER)
Referred to Public Property Capital Improvement and Finance Committees

1ST RDG 6. ADOPT 2017 ANNUAL APPROPRIATIONS FOR CITY OF CANTON; EMERGENCY (BUDGET)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:56 PM FOR THE FINANCE AND PERSONNEL COMMITTEES TO DISCUSS ORDINANCES #7 AND #8; RECONVENED AT 7:58 PM)

27/2017 7. APPROVE AMENDMENTS AND EXTENSIONS TO COLLECTIVE BARGAINING AGMT BETWEEN CITY OF CANTON AND CANTON POLICE PATROLMAN'S ASSOC; EMERGENCY (CPPA)
Referred to Finance and Personnel Committees

28/2017 8. APPROVE AMENDMENTS AND EXTENSIONS TO COLLECTIVE BARGAINING AGMT BETWEEN CITY OF CANTON AND FRATERNAL ORDER OF POLICE; EMERGENCY (FOP)
Referred to Finance and Personnel Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#9 - O#13)**

2ND RDG 9. 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) (FIN)

2ND RDG 10. 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) (FIN)

2ND RDG 11. AUTHORIZE MAYOR OR SERV DIR TO ACCEPT AND ENTER INTO FITZPATRICK-JOINT ECONOMIC DEVELOPMENT DISTRICT AGMT AREA IN JACKSON TOWNSHIP; EMERGENCY (JEDD) (C&ED)

2ND RDG 12. 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 (PS&T & FIN)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 13. 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) (FIN)

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

- 29/2017 14. 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)
- 30/2017 15. 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)
- 31/2017 16. 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)
- 32/2017 17. 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
- 33/2017 18. APPROVE AND ACCEPT REPLATTING AND RENUMBERING OF PART OF LOTS 6538 AND 2460; EMERGENCY (HABITAT FOR HUMANITY, 1012 4TH ST SW, WARD 4)
- 34/2017 19. APPROVE AND ACCEPT REPLATTING OF LOTS 22429 AND 22430; EMERGENCY (HABITAT FOR HUMANITY, 2222 8TH ST NE, WARD 4)
- 35/2017 20. 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)
- 36/2017 21. 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)
- 37/2017 22. 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)
- 38/2017 23. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT WITH TASOS ELECTRIC CO, INC. FOR STORM SEWER CONNECTION AND PRIVATE DRAINAGE EASEMENT; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, February 27, 2017 in Council Caucus Room at 6:00 PM**

- 1) Finance Committee
- 2) Judiciary Committee

BUDGET PRESENTATION

MISCELLANEOUS BUSINESS: Law Director Martuccio expressed his gratitude that the assembly on the Stark County Courthouse Square last Sunday was a peaceful exercise of their First Amendment rights. President Schulman agreed, and said that nobody is going to listen to us unless the people do more protesting, and demand to be treated fairly. Member Morris asked about the legislation wherein the State is mandating that the cities send their income tax receipts to them. Deputy Treasurer McEnaney indicated that the State will be collecting the receipts from the taxpayers and sending them back to the city. Member Morris suggested not sending them the money and let the State sue us. He agrees we need to show some form of protest. President Schulman agreed and said enough is enough. This has gone on for years. He feels the State legislators need to be brought down to the Chamber and explain why the city is not being given any money. He said it's an outrage, and he's sick of dealing with them because they don't give a "rat's ass" about the city or the people. He then recited the quote for the week, "Wisdom is the power that enables us to use knowledge for the benefit of ourselves and others," said by Thomas Watson, Chairman of the Board of IBM at the time.

ADJOURNMENT: 8:20 P.M.

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, FEBRUARY 27, 2017 @ 7:30 PM