

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

CANTON CITY COUNCIL

APRIL 17, 2017

**ROLL CALL:** Eleven Members Present

**MOTION TO EXCUSE MEMBERS:** Member Mack Absent

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

**PLEDGE OF ALLEGIANCE:** President Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#9 - O#15; O#15 Adopted on 2<sup>nd</sup> Reading; O#86/2017 Reconsidered and Adopted as Amended)

**PUBLIC HEARINGS:** None

**OLD BUSINESS (PUBLIC SPEAKS):** Reviewed Pending Issues from Public Speaks on 4/10/17

**PUBLIC SPEAKS (CITY BUSINESS):** Pete DiGiacomo mentioned the high cost of replacing sidewalks, and said when the government's involved, the price goes up. He is in favor of the Shotspotter, and encouraged Council not to take it out because the safety forces need it. He inquired about Communication #146, wanting an explanation on the flower plant irrigation system. President Schulman suggested that he speak with the Service Director after the meeting.

**INFORMAL RESOLUTIONS:** None

**COMMUNICATIONS:**

146. CD DIRECTOR SEWARD: AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH CANTON DEVELOPMENT PARTNERSHIP TO REPLACE MARKET AVE FLOWER PLANTER IRRIGATION SYSTEM; EMERGENCY. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
147. CD DIRECTOR SEWARD: DECLARE TRF OF VARIOUS HOUSES/REAL PROP OBTAINED BY CITY OF CANTON FOR FURTHERANCE OF DEPT OF DEVELOPMENT PROG TO QUALIFIED ENTITIES FOR URBAN REDEVELOPMENT AND/OR RENEWAL PURSUANT TO ORC SEC 721.28 EXEMPTING SAID TRF FR REQUIREMENTS OF COMPETITIVE BIDDING; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ALL CONTRACTS NECESSARY TO TRF REFERENCED HOUSES/REAL PROP; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (O#186/2013). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
148. COURT ADMIN KOCHERA: 2016 CANTON MUNICIPAL COURT ANNUAL REPORT. - RECEIVED & FILED
149. LAW DIRECTOR MARTUCCIO: AUTHORIZE EXPANSION OF HOFV TDD TO INCORPORATE RECENTLY PASSED ANNEXATIONS AND RELATED TIF DISTRICT, PURSUANT TO CHAPTERS 715 AND 5709 OF ORC RESPECTIVELY. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
150. MAYOR BERNABEI: REQ AUTH TO RE-APPT WILLIAM JONES TO FAIR EMPLOYMENT PRACTICES BRD FOR (3) YR TERM COMMENCING 5/1/17 OR UPON COUNCIL AUTH TO 4/30/20. - PERSONNEL COMMITTEE
151. SAFETY DIRECTOR PERRY: REQ APPROVAL OF SHOTSPOTTER FLEX CONTRACT (1) YR RENEWAL FR 5/29/17 THRU 5/28/18. - FINANCE COMMITTEE
152. SERVICE DIRECTOR BARTOS: REQ CONSENT LEGISLATION GRANTING ODOT ABILITY TO PERFORM GUARDRAIL REPLACEMENT WORK ON US 30 AND SR43, D04 GR2018A, PID 103678, GP1264 AT NO COST TO THE CITY; EMERGENCY. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
153. SERVICE DIRECTOR BARTOS: REQ LEGISLATION CONTAINING EXACT LANGUAGE CONTAINED IN SAMPLE ORDINANCE FR ODOT TO PARTICIPATE IN WINTER RD SALT CONTRACT REQ 9,000 TONS OF RD SALT; EMERGENCY. - FINANCE COMMITTEE
154. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH OF (1) MEDIUM DUTY PICKUP TRUCK AND (1) HEAVY DUTY CAB AND CHASSIS FOR COLLECTION SYSTEMS DEPT; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR ABOVE PURCH IN ACCORDANCE WITH ANY COOP PURCH PROG OR PROCUREMENT PROCEDURE AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
155. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO \$23,231.31 COOP AGMT MODIFICATION NO. 1 WITH STARK CO FOR FAIRHOPE SANITARY SEWER LIFT STATION REHAB PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE

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

- 1<sup>ST</sup> RDG 1. ESTABLISH AND DESIGNATE BOUNDARIES OF PROPOSED DOWNTOWN REDEVELOPMENT DISTRICT (DRD); APPROVE ECONOMIC DEVELOPMENT PLAN FOR PROPOSED DRD, PURSUANT TO OH LAW; DECLARE "IMPROVEMENT" TO ONE OR MORE PARCELS OF REAL PROP LOCATED IN DISTRICT TO BE PUBLIC PURPOSE; FIND AND DETERMINE THAT IMPROVEMENTS TO PARCELS WITHIN DRD BE EXEMPTED UP TO 70% FOR 10 YRS WITHOUT SCHOOL DISTRICT APPROVAL; OR UP TO 70% FOR 30 YRS WITH EITHER SCHOOL DISTRICT APPROVAL OR SERV PAYMENTS TO SCHOOL DISTRICT(S) EQUAL TO TAXES EXEMPTED; ESTABLISH AND DESIGNATE BOUNDARIES OF PROPOSED INNOVATION DISTRICT; APPROVE ECONOMIC DEVELOPMENT PLAN FOR PROPOSED INNOVATION DISTRICT; EMERGENCY  
Referred to Community & Economic Development and Downtown Development Committees  
**PUB HRG HELD 4/3/17 @ 7:30 P.M.**
- 1<sup>ST</sup> RDG 2. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (1703-1711 FULTON RD NW, PARCELS 210921, 210922, 244550, FOR KLIMO FAMILY FOUNDATION)  
Referred to Judiciary Committee  
**PUB HRG 5/8/17 @ 7:30 P.M.**
- 1<sup>ST</sup> RDG 3. AMEND CHAPTER 1105, HISTORIC PRESERVATION CODE OF PART ELEVEN, PLANNING AND ZONING CODE OF CANTON CODIFIED ORDINANCES  
Referred to Judiciary Committee  
**PUB HRG 5/8/17 @ 7:31 P.M.**
- 1<sup>ST</sup> RDG 4. AUTHORIZE MAYOR OR SERV DIR TO ACCEPT GRANT OF \$100,000.00 FR OH FACILITIES CONSTRUCTION COMMISSION FOR CITY OF CANTON CENTRAL PLAZA MEMORIAL PROJ; AMEND APPROP O#41/2017; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR SAID PROJ; EMERGENCY (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 201001 SERVICE DIRECTOR ADMIN - OTHER)  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG 5. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER/CONTRACT AMENDMENT NO. 1 WITH MICHAEL BAKER INTERNATIONAL IN AMT NOT TO EXCEED \$18,432.00 FOR PROF ENGINEERING SRVS FOR BURNHAM HILLS SANITARY SEWER REPLACEMENT PROJ; AMEND APPROP O#41/2017; EMERGENCY (\$18,432.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206314 BURNHAM HILLS SANITARY SEWER REPLACEMENT PROJ, GP 1220 - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 6. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT; ENTER INTO PROF SRVS CONTRACT FOR CONSTRUCTION OVERSIGHT SRVS AND ENTER INTO AGMT(S) FOR AND RECEIVE GRANT FUNDS IN AMT OF \$900,000.00 AND ZERO PERCENT INTEREST LOAN FUNDS IN AMT OF \$600,000.00 FR OH PUBLIC WORKS COMMISSION FOR 40<sup>TH</sup> ST/GRUNDER AVE WATER MAIN REPLACEMENT PROJ; AUTHORIZE AUDITOR TO CREATE 5233 40<sup>TH</sup> ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ FUND; AMEND APPROP O#41/2017; EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5233 40<sup>TH</sup> ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ FUND TO 5233 207038 40<sup>TH</sup> ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ - OTHER; \$790,944.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207038 40<sup>TH</sup> ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 7. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SRVS CONTRACT WITH ARCADIS IN AMT NOT TO EXCEED \$23,600.00 FOR MONTABELLA-FIRST FRIENDS DETENTION BASIN DRAINAGE STUDY; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 8. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT AND TO ENTER INTO AGMT(S) FOR AND RECEIVE GRANT FUNDS IN AMT OF \$750,000.00 AND ZERO PERCENT INTEREST LOAN FUNDS IN AMT OF \$750,000.00 FR OH PUBLIC WORKS COMMISSION FOR SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ; AUTHORIZE AUDITOR TO CREATE 5234 SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ FUND; AMEND APPROP O#41/2017; EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5234 SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ FUND TO 5234 207042 SUGARCREEK WTP BACKWASH WATER SLUDGE LAGOON PROJ - OTHER; \$407,081.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207042 SUGARCREEK WTP BACKWASH WATER SLUDGE LAGOON PROJ - OTHER)  
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#9 - O#15; O#15 ADOPTED ON 2<sup>ND</sup> RDG)**

- 2<sup>ND</sup> RDG 9. AMEND O#92/2016; EMERGENCY (CONTRACTS UTILIZING CDBG AND ESG FUNDS) (C&ED)
- 2<sup>ND</sup> RDG 10. AMEND APPROP O#41/2017; EMERGENCY (\$3,514.44 SUPP APPROP FR UNAPPROP BAL OF 2763 LAW ENFORCEMENT TRUST TO 2763 102085 NOVFTF - OTHER) (PURCH EQUIP FOR POLICE DEPT TO AID IN APPREHENSION OF VIOLENT FUGITIVES) (FIN)

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

- 2<sup>ND</sup> RDG 11. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER/CONTRACT AMENDMENT NO. 2 WITH MICHAEL BAKER JR., INC./MICHAEL BAKER INTERNATIONAL FOR CONSTRUCTION ENGINEERING SERVS RELATED TO MAHONING RD NE CORRIDOR PROJ, PHASE 1, PID 90361, GP 1103; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 12. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 4 WITH LOCKHART CONCRETE CO. FOR EAST SIDE INTERCEPTOR SEWER RELOCATION PROJ, GP 1113, EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 13. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ONE OR MORE SIDEWALK, STREETScape, AND/OR ADA RAMP CONSTRUCTION CONTRACTS; AMEND APPROP O#41/2017; EMERGENCY (\$320,621.52 SUPP APPROP FR UNAPPROP BAL OF 4579 30<sup>TH</sup> ST NW RESURFACING PROJ, GP 1238 FUND TO 4579 202044 30<sup>TH</sup> ST NW RESURFACING PROJ, GP 1238 - OTHER) (PPCI)
- 2<sup>ND</sup> RDG 14. AUTHORIZE MAYOR OR SERV DIR TO: PURCH SANITARY SEWERS AND ENTER INTO AGMT(S) WITH STARK COUNTY FOR OWNERSHIP, OPERATION, AND/OR MAINTENANCE OF SANITARY SEWERS AND SANITARY SEWER FACILITIES SERVICING AREA INCLUDED IN GENERAL DEVELOPMENT PLAN FOR JOHNSON CONTROLS HALL OF FAME VILLAGE; AMEND APPROP O#41/2017; EMERGENCY (\$300,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 202010 ENGINEER DAILY OPERATIONS - OTHER) (FIN)
- 87/2017 15. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT AMENDMENT WITH BRICKER & ECKLER LLP FOR LEGAL SERVS RELATED TO WRF CONSTRUCTION PROJ; AMEND APPROP O#41/2017; EMERGENCY (\$75,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206005 OPERATIONS AND MAINTENANCE - OTHER) (FIN)

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

- 86/2017 16. AUTHORIZE APPROP OFFICIAL(S) TO PURCHASE AND/OR LEASE VARIOUS TITLED VEHICLES; ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH DESCRIBED IN EXHIBIT A THAT EXCEED ANY APPLICABLE DOLLAR AMT THRESHOLD(S); ALTERNATIVELY ENTER INTO CONTRACT FOR PURCH PURSUANT TO ANY COOP PURCH AGMTS AUTHORIZED BY LAW; AMEND APPROP O#41/2017; EMERGENCY (\$1,260,027.50 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJ FUND TO 4501 102001 POLICE ADMIN - OTHER - \$38,970.00, TO 4501 103001 FIRE ADMIN - OTHER - \$105,814.00, TO 4501 103501 CENTRAL COMMUNICATION ADMIN - OTHER - \$7,500.00, TO 4501 202210 STREET MAINTENANCE - OTHER - \$751,000.00, TO 4501 204010 OTHER BUILDINGS - OTHER - \$147,400.00, TO 4501 301001 HEALTH ADMIN - OTHER - \$26,428.50, TO 4501 504010 INFORMATIONAL TECHNOLOGY - OTHER - \$90,000.00, TO 4501 701001 JUDGES ADMIN - OTHER - \$34,220.00, TO 4501 753001 LAW ADMIN - OTHER - \$11,695.00, TO 4501 801001 AUDITOR ADMIN - OTHER - \$27,000.00, TO 4501 852001 TREASURER ADMIN - OTHER - \$10,000.00, TO 4501 901001 CIVIL SERVICE - OTHER - \$10,000.00; \$340,248.00 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 102001 POLICE ADMIN - OTHER - \$262,500.00, TO 4502 103001 FIRE ADMIN - OTHER - \$37,204.00, TO 4502 201201 PURCHASING ADMIN - OTHER - \$12,544.00, TO 4502 504010 INFORMATION TECHNOLOGY - OTHER - \$28,000.00; \$7,728.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING FUND TO 5201 201201 PURCHASING ADMIN - OTHER; \$7,728.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 201201 PURCHASING ADMIN - OTHER; \$10,000.00 SUPP APPROP FR UNAPPROP BAL OF 5701 BUILDING CODE FUND TO 5701 101501 CODE ENFORCEMENT ADMIN - OTHER)
- 88/2017 17. APPROVE STATEMENT OF SRVS TO BE PROVIDED TO PROPERTY OWNER IN ONE RICHMOND AVE ANNEXATION AREA, APPROX DATE SRVS WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY OF CANTON, OH; EMERGENCY
- 89/2017 18. AMEND APPROP O#41/2017; EMERGENCY (\$2,786,199.00 FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206057 OWDA WRF PHOSPHORUS PROJ (MEMBRANE) #6556 - OTHER FOR \$1,007,989.00, AND TO 5410 206058 OWDA WRF PHOSPHORUS (CONSTRUCTION) #6699 - OTHER)
- 90/2017 19. AUTHORIZE ADOPTION OF GENERAL DEVELOPMENT PLAN FOR HOF VILLAGE DEVELOPMENT PROJ; EMERGENCY (GDP)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, April 24, 2017 in Council Caucus Room at 6:00 PM**

- 1) Community & Economic Development Committee
- 2) Finance Committee
- 3) Public Property Capital Improvement Committee
- 4) Personnel Committee
- 5) Downtown Development Committee
- 6) Judiciary Committee

PRESENTATION BY GRANT RECIPIENTS OF CDBG AND ESG FUNDS

**MISCELLANEOUS BUSINESS:** Clerk Dougherty gave the quote of the week, "People take different roads seeking fulfillment and happiness. Just because they're not on your road doesn't mean they've gotten lost." - H. Jackson Brown, Jr.

**ADJOURNMENT:** 8:05 P.M.

**NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, APRIL 24, 2017 @ 7:30 PM**