

**FINAL
A G E N D A
7:00 PM**

CANTON CITY COUNCIL

August 14, 2017

MOMENT OF SILENCE FOR VICTIMS OF CHARLOTTESVILLE INCIDENT

ROLL CALL: Ten Members Present

MOTION TO EXCUSE MEMBERS: Member Mariol and Member Mack Absent

INVOCATION: James Babcock, At-Large Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#5 & O#6; 2nd Rdg O#7 - O#16; O#5 & O#6 Adopted on 1st Rdg; O#10 & O#16 Adopted on 2nd Rdg; O#18 Adopted as Amended)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): None

INFORMAL RESOLUTIONS:

30. COUNCIL-AS-A-WHOLE: CONGRATULATING FIRST TEE OF CANTON ON THEIR 15 YR ANNIVERSARY. - ADOPTED
31. COUNCIL-AS-A-WHOLE: AMENDING PROCEDURE RULE #22A & RULE #24B BY CHANGING DEADLINE FOR RECEIPT OF COMMUNICATIONS, INFORMAL RESOLUTIONS, FORMAL RESOLUTIONS AND ORDINANCES FR 4:30 PM TO 12:00 PM ON THURSDAYS EFFECTIVE 8/24/17. - ADOPTED

COMMUNICATIONS:

293. ANNEXATION CHAIRMAN MORRIS: REQ STATEMENT OF SERVS FOR 4229 4TH ST NW ANNEXATION. - ANNEXATION COMMITTEE
294. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 7/31/17. - RECEIVED & FILED
295. AUDITOR MALLONN: MTHLY RPT BY FUND FOR 7/1/17 THRU 7/31/17. - RECEIVED & FILED
296. AUDITOR MALLONN: YRLY RPT BY FUND FOR 1/1/17 THRU 7/31/17. - RECEIVED & FILED
297. CHIEF DEPUTY CLERK GONZALEZ: AUTHORIZE AUDITOR TO PAY \$3,332.00 OBLIGATION TO ZENITH FOR INSTALLATION OF NEW MICROPHONES IN CLERK OF COURTS OFFICE. - FINANCE COMMITTEE
298. FINANCE DIRECTOR CROUSE: REQ TO WITHDRAW COMMUNICATION #288 FR 7/31/17 AGENDA. - RECEIVED & FILED
299. FINANCE DIRECTOR CROUSE: REQ \$15,000.00 SUPP APPROP FR UNAPPROP BAL OF 2155 CITY PARKING DECK/LOT FUND TO 2155 104040 TRAFFIC ENG/PARKING METER - PERSONNEL FOR 2017 REPAIRS TO PARKING DECKS. - FINANCE COMMITTEE
300. FINANCE DIRECTOR CROUSE: REQ \$32,900.00 APPROP TRF FR 2111 104010 - TRAFFIC SIGN AND PAINT - PERSONNEL TO 2111 104020 TRAFFIC SIGNAL - PERSONNEL, \$2,800.00 APPROP TRF FR 4501 202001 - ENGINEERING ADMIN - PERSONNEL TO 4501 202020 ENGINEER - URBAN FORESTRY - PERSONNEL, \$5,000.00 APPROP TRF FR 1001 201201 - PURCHASING ADMIN - PERSONNEL TO 1001 200501 GEN GOV'T SUPPORT - OTHER, AND \$16,500.00 APPROP TRF FR 1001 506001 - COMMUNITY DEVELOPMENT ADMIN - OTHER TO 1001 102075 POLICE - CONT PROFESS TRAINING - OTHER FOR \$15,000.00, TO 1001 501001 MAYOR ADMIN - OTHER FOR \$500.00, AND TO 1001 501101 HUMAN RESOURCE ADMIN - OTHER FOR \$1,000.00 TO MEET PAYROLL REQUIREMENTS. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
301. LAW DIRECTOR MARTUCCIO: REQ AUTHORIZATION TO SETTLE PENDING LITIGATION IN STARK COUNTY COMMON PLEAS CT. - JUDICIARY AND FINANCE COMMITTEES
302. LIQUOR CONTROL DIV (OHIO): REQ NEW D5I PERMIT FOR DOWNTOWNER DEVELOPMENT CO LLC, DBA PILEGGI'S DOWNTOWN @ 621 MARKET AVE N. - RECEIVED & FILED
303. MAYOR BERNABEI: REQ AUTH TO RE-APPT CHARLES DEGRAFF TO SARTA BOARD FOR 3 YR TERM FR 9/1/17 TO 8/31/20. - PERSONNEL COMMITTEE
304. MAYOR BERNABEI: REQ AUTH TO APPT MONIQUE MOORE TO FAIR HOUSING COMMISSION FOR 5 YR TERM EFFECTIVE 7/1/17 TO 6/30/22. - PERSONNEL COMMITTEE

COMMUNICATIONS CONTINUED:

305. PLANNING COMMISSION: REQ REPLAT OF OUT LOT 1336 LOCATED AT 1115 CHERRY AVE NE FOR TERRY NOLAN, STANDARD PRINTING CO (WARD 2). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
306. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR BURNHAM HILLS SANITARY SEWER REALIGNMENT PROJ, GP 1220; REQ \$182,500.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206318 BURNHAM HILLS SANITARY SEWER REALIGNMENT, GP 1220 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
307. SERVICE DIRECTOR BARTOS: AUTHORIZE AUDITOR TO MAKE ALL NECESSARY PURCH ORDER ADJUSTMENTS AND PAY MORAL OB TO MICHAEL BAKER, JR., INC. UP TO AMT OF CHANGE ORDER #2 TO MAHONING RD NE CORRIDOR PROJ, PHASE 1, PID 90361, GP 1103 CONSTRUCTION ENGINEERING CONTRACT; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
308. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERV CONTRACTS AND/OR CONTRACT AMENDMENTS WITH FROST BROWN TODD LLC FOR LEGAL SRVS RELATED TO ENVIRONMENTAL MATTERS; REQ \$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207010 PUMPING - OTHER AND \$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206005 OPERATION AND MAINTENANCE - OTHER FOR \$50,000.00 AND TO 5410 206006 COLLECTION SYSTEMS DEPT - OTHER FOR \$50,000.00; RETROACTIVELY AUTHORIZE AND RATIFY ANY ACTIONS TAKEN TO PROTECT CANTON'S ENVIRONMENTAL INTERESTS PRIOR TO PASSAGE OF ORDINANCE; AUTHORIZE AUDITOR TO PAY FROST BROWN TODD LLC ANY AND ALL MORAL OBS THAT ARISE PRIOR TO COMPLETION OF FINAL CONTRACT OR AMENDMENTS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
309. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO EMERGENCY PROF SRVS CONTRACT WITH BENNETT & WILLIAMS ENVIRONMENTAL CONSULTANTS, INC. FOR SRVS RELATED TO PROTECTION OF SUGARCREEK WELLFIELD; REQ \$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207010 PUMPING - OTHER; RETROACTIVELY AUTHORIZE AND RATIFY ANY ACTIONS TAKEN TO PROTECT CANTON'S ENVIRONMENTAL INTERESTS PRIOR TO PASSAGE OF ORDINANCE; AUTHORIZE AUDITOR TO PAY BENNETT & WILLIAMS ENVIRONMENTAL CONSULTANTS, INC. ANY AND ALL MORAL OBS THAT ARISE PRIOR TO COMPLETION OF FINAL CONTRACT; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
310. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL NECESSARY AGMTS WITH STARK COUNTY, OH PUBLIC WORKS COMMISSION AND OTHER REQUIRED AGENCIES AND/OR ENTITIES FOR GEORGETOWN ST/8TH ST NE AND SHEPLER CHURCH AVE SW RESURFACING PROJECTS; AUTHORIZE MAYOR AND/OR SERV DIR TO APPLY FOR, ENTER INTO AGMT FOR, AND RECEIVE ANY AND ALL FUNDING NECESSARY FOR THESE PROJECTS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
311. TREASURER PEREZ: RPT OF DEPOSITS AND PAY-INS TO TRANSIENT LODGING ACCT FOR 1ST QUARTER 2017. - RECEIVED & FILED
312. TREASURER PEREZ: RPT OF DEPOSITS AND PAY-INS TO TRANSIENT LODGING ACCT FOR 2ND QUARTER 2017. - RECEIVED & FILED
313. TREASURER PEREZ: MTHLY RPT OF DEPOSITS AND PAY-INS FOR AMBULANCE LOCK BOX ACCT FOR JULY, 2017. - RECEIVED & FILED
314. TREASURER PEREZ: MTHLY RPT OF PARKING METER REVENUE FOR JULY, 2017. - RECEIVED & FILED
315. TREASURER PEREZ: INFORM COUNCIL OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 6/30/17. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

316. TREASURER PEREZ: INFORM COUNCIL OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 7/31/17. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND APPROP O#41/2017; EMERGENCY (\$14,500.00 APPROP TRF FR 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER TO 1001 201001 SERVICE DIRECTOR ADMIN - OTHER FOR \$7,000.00 AND TO 1001 501101 HUMAN RESOURCES ADMIN - OTHER FOR \$7,500.00)
Referred to Finance Committee
- 1ST RDG 2. AMEND APPROP O#41/2017; EMERGENCY (\$200,000.00 SUPP APPROP FR UNAPPROP BAL OF 6041 MOTOR VEHICLE DEPT DMV FUND TO 6041 208010 SERVICE AND REPAIR - OTHER)
Referred to Finance Committee
- 1ST RDG 3. AMEND APPROP O#41/2017; EMERGENCY (\$25,000.00 SUPP APPROP FR UNAPPROP BAL OF 2320 NURSING CLINIC ACTIVITY FUND TO 2320 303002 NURSING CLINIC ACTIVITY FUND - 700 - OTHER)
Referred to Finance Committee
- 1ST RDG 4. AUTHORIZE PARKS & REC DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE ANY AND ALL NECESSARY CONTRACTS FOR KING PARK RENOVATION PROJ; OR TO ALTERNATIVELY ENTER INTO ANY AND ALL NECESSARY CONTRACTS FOR SAID PROJ USING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; EMERGENCY
Referred to Parks & Recreation and Finance Committees

(COUNCIL RECESSED AT 7:10 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCES #5 & #6; RECONVENED AT 7:11 PM)

- 172/2017 5. AUTHORIZE AUDITOR TO PAY MORAL OB TO A CUT ABOVE TREE SERVICES, LLC; EMERGENCY (\$10,500.00 FOR CANTON NEIGHBORHOOD INITIATIVE PROG (NIP), PHASE III)
Referred to Finance Committee
- 173/2017 6. AUTHORIZE AUDITOR TO PAY MORAL OB TO STANDARD PLUMBING AND HEATING CO; EMERGENCY (\$8,354.65 FOR CITY HALL FLOODING EVENT)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#7 - O#16; O#10 & O#16 ADOPTED ON 2ND READING)

- 2ND RDG 7. APPROVE STATEMENT OF SERVS TO BE PROVIDED TO PROP OWNERS IN HOF VILLAGE #4 ANNEX AREA, APPROX DATE SERVS WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY; EMERGENCY (ANNEX)
- 2ND RDG 8. AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT. OF REHAB & CORRECTION FOR RECEIPT OF FY 2018-2019 PROBATION IMPROVEMENT & INCENTIVE GRANT IN AMT OF \$88,822.00; AMEND APPROP O#41/2017; EMERGENCY (\$88,822.00 SUPP APPROP FR UNAPPROP BAL OF 2765 PROBATION IMPROVEMENT & INCENTIVE GRANT FUND TO 2765 701001 PROBATION IMPROVEMENT & INCENTIVE GRANT - PERSONNEL) (FIN)
- 2ND RDG 9. AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT. OF REHAB & CORRECTION FOR RECEIPT OF FY 2018 COMMUNITY CORRECTIONS ACT GRANT IN AMT NOT TO EXCEED \$170,601.00; AMEND APPROP O#41/2017; EMERGENCY (\$170,601.00 SUPP APPROP FR UNAPPROP BAL OF 2767 MISDEMEANANT JAIL DIVERSION GRANT FUND TO 2767 MISDEMEANANT JAIL DIVERSION GRANT FUND - OTHER) (FIN)
- 174/2017 10. AMEND APPROP O#41/2017; EMERGENCY (\$1,163,656.00 SUPP APPROP FR UNAPPROP BAL OF 2211 COMMUNITY DEVELOPMENT FUND TO 2211 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$388,896.00 SUPP APPROP FR UNAPPROP BAL OF 2214 HOME FUND TO 2214 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$213,203.00 SUPP APPROP FR UNAPPROP BAL OF 2219 EMERGENCY SHELTER GRANT FUND TO 2219 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER) (C&E)
- 2ND RDG 11. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCEL NOS. 224034, 244037, 229347, 244039, 244041, 244044, AND 244029 @ 2213 CLEVELAND AVE NW FROM R-1A (SINGLE-FAMILY RESIDENTIAL) AND B-3 (GENERAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS DISTRICT FOR GROFFRE INVEST & JEFFRIES BROS EXCAVATING & PAVING INC.) (JUD)
PUB HRG 8/28/17 @ 7:30 PM
- 2ND RDG 12. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCEL #245005 @ 115 BROAD AVE NW FROM R-1A (SINGLE-FAMILY RESIDENTIAL) TO PB-3 (PLANNED GENERAL BUSINESS FOR STEPHANIE DONAHUE) (JUD)
PUB HRG 8/28/17 @ 7:31 PM

- 2ND RDG 13. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCEL #245905 @ 2110 - 8TH ST NE FROM R-1A (SINGLE-FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS FOR MOTOR VEHICLE STORAGE) (JUD)
PUB HRG 8/28/17 @ 7:32 PM

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 14. AMEND CHAPTER 1158, HALL OF FAME VILLAGE DISTRICT OF PART ELEVEN, PLANNING AND ZONING CODE OF THE CODIFIED ORD BY ADDITION OF SEC 1158.19 - SIGNS PERMITTED IN HOFV ZONING DISTRICT REQUIRING A PERMIT (JUD)
PUB HRG 8/28/17 @ 7:33 PM

- 2ND RDG 15. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO 5 YR CONTRACT FOR LEASE OF APPROX 274 ACRES OF CITY OF CANTON PROP AT SUGARCREEK WATER TREATMENT PLANT FOR FARMING PURPOSES; EMERGENCY (PPCI & FIN)

- 175/2017 16. AMEND APPROP O#41/2017; EMERGENCY (\$13,750.00 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 103501 CENTRAL COMMUNICATION ADMIN - OTHER) (PPCI)

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

- 176/2017 17. DETERMINE NECESSITY TO PROCEED WITH IMPLEMENTATION OF PUBLIC SERV PLAN ADOPTED BY DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; DECLARE NECESSITY TO PROCEED WITH SPECIAL ASSESSMENT FOR FUNDING OF SAID PLAN FOR PERIOD OF FIVE YRS; EMERGENCY

AMENDED AS

- 177/2017 18. AMEND APPROP O#41/2017; EMERGENCY (\$23,000.00 SUPP APPROP FR UNAPPROP BAL OF 2659 PROBATION AWARD FUND TO 2659 701001 PROBATION AWARD FUND - OTHER)

- 178/2017 19. ADOPT CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING 12/31/18; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, August 28, 2017 in Council Caucus Room at 6:30 PM
CLAIMS COMMITTEE

MONDAY, August 28, 2017 in Council Caucus Room at 6:45 PM
1) Finance Committee
2) Personnel Committee
3) Parks & Recreation Committee

MISCELLANEOUS BUSINESS: Law Director Martuccio announced that there will be a Claims Committee meeting on August 28, 2017 prior to committee meetings, and the time was set for 6:30 PM.

QUOTE OF THE WEEK: "Little League baseball is a very good thing because it keeps the parents off the streets"- Yogi Berra

ADJOURNMENT: 7:25 P.M.