

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

September 18, 2017

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Chester Absent

INVOCATION: Greg Hawk, Ward 1 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#11 - O#22)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Roger Zachary, Don Johnson, Jeffrey Zachary, Brenda Baylor, and David Fetters all spoke about the chip and seal that was done on the roads in their Georgeview Estates community. When the homes were purchased in the area, the contract said that the roads would remain paved. The rocks are causing lots of dust in the area, and are very slippery. They would like to know who authorized the chip and seal, and why none of the residents were contacted prior to it being put down. The residents feel that the NE and SE Canton communities have been neglected and would like to see that changed. Mr. Fetters also spoke about the condition of former firefighter, Tonya Johnson's home since her untimely death in 2016. No one is maintaining the home or the yard.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

357. AGENT FOR PETITIONER, SLIMAN: COPY OF ANNEXATION PETITION DOCS FILED WITH STARK CO. COMMISSIONERS FOR HOFV #4 ANNEXATION. - RECEIVED & FILED
358. FINANCE DIRECTOR CROUSE: AMEND APPROP O#41/2017 (\$2,328.96 SUPP APPROP FR UNAPPROP BAL OF 7131 DOWNTOWN CANTON SPEC IMP DIST FUND TO 7131 801001 AUDITOR - ADMIN - OTHER) (FUND SPECIAL IMP DIST FOR REMAINDER OF YR). - FINANCE COMMITTEE
359. LAW DIRECTOR MARTUCCIO: AUTHORIZE IMPLEMENTATION OF PUBLIC SERVICE PLAN ADOPTED BY DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT. - DOWNTOWN DEVELOPMENT COMMITTEE
360. MAYOR BERNABEI: AUTHORIZE MAYOR AND/OR DEPUTY MAYOR TO CONTINUE CONTRACTUAL AGMT WITH CANTON COMM IMPROV CORP (CCIC); AGMT TO PROVIDE GRANT UTILIZING GENERAL FUND DOLLARS IN AMT OF \$50,000 FOR GRANTS, LOANS AND ADMIN COSTS. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
361. MAYOR BERNABEI: LTR ADVISING OF RE-APPT OF TIM MILLER TO MAYOR'S COMMUNITY RELATIONS COMMISSION, COMMENCING RETRO FR 7/1/17 TO 6/30/19. - RECEIVED & FILED
362. PLANNING COMMISSION: REQ REPLAT OF LOTS 38781 & 38782 (PARCELS 303095, 303732, & 303733); LOCATED @ 1265 & 1289 GRENADA DR. NE, WARD 8. (LOUIS & RITA SCHANER AND ELLEN RAPPORT). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
363. PLANNING COMMISSION: REQ REPLAT OF ALL OF LOTS 994-997 & LOTS 1002-1005 AND PART OF LOTS 1020-1021 & 2550-2551 AND VACATED PORTIONS OF OAK STREET & ELM STREET AND VACATED 18' ALLEY AND (2) VACATED 14' ALLEYS AND PART OF VACATED UNION STREET (PARCELS 241656, 245696, & 245697); LOCATED @ 800 3RD ST SE, WARD 4 (SLESNICK REALTY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
364. PLANNING COMMISSION: REQ VACATION OF GROSSE PL SW FROM EAST RIGHT-OF-WAY LINE OF HENRY AVE SW TO WEST RIGHT-OF-WAY LINE OF CLEVELAND AVE SW AND REPLAT OF CANTON CITY LOTS 3156, 3157, 6474, 6732, & VACATED GROSSE PL SW (PARCELS 235846, 203099, 213677, 220675, 213678, 204853, 212190, 202775, & 212189); WARD 5 (ANTHONY & SHAREN CAMPITELLI). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
365. 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 ALL OTHER CONTRACTS NECESSARY FOR COMPLETION OF PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (FALL 2017 TREE PLANTING PROJ, GP 1256). - ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES

COMMUNICATIONS CONTINUED:

366. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 7/31/2017. - RECEIVED & FILED
367. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 8/31/2017. - RECEIVED & FILED.

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. DECLARE WEEK OF DECEMBER 11 - DECEMBER 15, 2017 AMNESTY WEEK FOR ANY PERSON WITH UNPAID PARKING TICKETS AND UNPAID RENTAL REG FEES; EMERGENCY
Referred to Finance Committee
- 1ST RDG 2. AMEND APPROP O#41/2017; EMERGENCY (\$30,000.00 APPROP TRF FR 1001 506001 COMMUNITY DEV ADMIN - OTHER TO 1001 501001 MAYOR ADMIN - PERSONNEL) (PLANNING DEPT)
Referred to Finance Committee
- 1ST RDG 3. AMEND APPROP O#41/2017; EMERGENCY (\$2,475.00 FR UNAPPROP BAL OF 1001 GENERAL OPER FUND TO 1001 102001 POLICE - ADMIN - OTHER) (HOF MARATHON)
Referred to Finance Committee
- 1ST RDG 4. AMEND APPROP O#41/2017; EMERGENCY (\$190,000.00 FR UNAPPROP BAL OF 1001 GENERAL OPER FUND TO 1001 801010 AUDITOR- LEGALLY BINDING EXP - OTHER - \$155,000.00, TO 1001 102090 POLICE - CANTON CRIME LAB - PERSONNEL SERVICES - \$35,000.00)
Referred to Finance Committee
- 1ST RDG 5. AMEND APPROP O#41/2017; EMERGENCY (\$21,223.44 SUPP APPROP FR UNAPPROP BAL OF 2185 URBAN TIF FUND TO 2185 501001 MAYOR ADMIN - OTHER) (HISTORIC ONESTO)
Referred to Finance Committee
- 1ST RDG 6. AMEND APPROP O#41/2017; EMERGENCY (\$75,509.00 SUPP APPROP FR UNAPPROP BAL OF 2817 JOBS OHIO FUND TO 2817 506001 COMM DEV ADMIN - OTHER; \$148,215.00 INTER-FUND ADV REPAY FR 2817 506001 COMM DEV ADMIN - ADV OUT TO 1001 506001 COMM DEV ADMIN - ADV IN) (WEBER DENTAL)
Referred to Finance Committee
- 1ST RDG 7. AMEND APPROP O#41/2017; EMERGENCY (\$1,190,000.00 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PROJ FUND TO 4566 202079 MAHONING RD CORRIDOR PROJ - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 8. VACATE PORTION OF GEORGE HALAS DRIVE NW; APPROVE AND ACCEPT REPLAT OF LOTS 43041-43051, 43067-43076, 43078, 43102, 43240 AND 43241 PLUS THE VACATED PORTION OF GEORGE HALAS DRIVE NW; EMERGENCY (WARD 7) **NO PUB HRG - WAIVER ATTACHED**
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 9. AUTHORIZE MAYOR OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH OF TABLETS AND RELATED WARRANTIES AND ACCESSORIES FOR POLICE DEPT; OR TO ALTERNATIVELY PURCH SAID ITEMS PURSUANT TO ANY COOP PROCUREMENT PROCESS AUTHORIZED BY LAW; EMERGENCY
Referred to Finance Committee
- 1ST RDG 10. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO PROF SERVS CONTRACT FOR EMS BILLING SERVS; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#11 - O#22)**

- 2ND RDG 11. AMEND APPROP O#41/2017; EMERGENCY (\$16,277.56 APPROP TRF FR 2797 701001 SPECIALIZED DOCKET FUND - PERSONNEL TO 2797 701001 SPECIALIZED DOCKET FUND - OTHER) (FIN)
- 2ND RDG 12. AMEND APPROP O#41/2017; EMERGENCY (\$80,000.00 SUPP APPROP FR UNAPPROP BAL OF 2797 SPECIALIZED DOCKET GRANT FUND TO 2797 701001 SPECIALIZED DOCKET GRANT - OTHER) (FIN)
- 2ND RDG 13. AMEND APPROP O#41/2017; EMERGENCY (\$83,000.00 SUPP APPROP FR UNAPPROP BAL OF 2762 INDIGENT TREATMENT FUND TO 2762 701001 INDIGENT TREATMENT - OTHER) (FIN)
- 2ND RDG 14. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH CANTON REGIONAL CHAMBER OF COMMERCE FOR GRANT OF CITY FUNDS IN AMT NOT TO EXCEED \$175,000.00 FOR ECONOMIC AND CIVIC DEVELOPMENT OF COMMUNITY; EMERGENCY (FIN)
- 2ND RDG 15. AMEND APPROP O#41/2017; EMERGENCY (\$2,789,092.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206057 OWDA WRF PHOSPHORUS PROJ (MEMBRANE) #6556 - OTHER FOR \$1,009,053.00; TO 5410 206058 OWDA WRF PHOSPHORUS (CONSTRUCTION) #6699 - OTHER FOR \$1,780,039.00) (FIN)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 16. AMEND APPROP O#41/2017; EMERGENCY (\$130,000.00 SUPP APPROP FR UNAPPROP BAL OF 2773 2015 COPS HIRING PROG GRANT FUND TO 2773 102001 POLICE ADMIN - OTHER) (FIN)
- 2ND RDG 17. AUTHORIZE SERV DIR TO ENTER INTO ENVIRONMENTAL COVENANT WITH OHIO EPA; EMERGENCY (HOFV RACEWAY STREAM) (E&PU)
- 2ND RDG 18. APPROVE CANTON CITY WATER MAIN EXTENSION TO PLAIN TWP; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT(S) FOR EXTENSION OF SAID WATER MAIN; EMERGENCY (SARATOGA HILLS NO. 4) (E&PU)
- 2ND RDG 19. APPROVE CANTON CITY WATER MAIN EXTENSION TO PLAIN TWP; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT(S) FOR EXTENSION OF SAID WATER MAIN; EMERGENCY (WICKER CREEK NO. 2) (E&PU)
- 2ND RDG 20. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH OF ONE PASSENGER VAN; OR TO ALTERNATIVELY PURCH SAID VEHICLE PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; EMERGENCY (SANITATION DEPT) (PPCI)
- 2ND RDG 21. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ADMIN ORDER ON CONSENT (AOC) WITH USEPA AND/OR TAKE ANY OTHER ACTIONS NECESSARY TO ENSURE AOC IS FULLY EXECUTED AND TAKES FULL EFFECT; EMERGENCY (SANITARY SEWER SYSTEM) (E&PU)
- 2ND RDG 22. AMEND SECS 187.02 THRU 187.33 AND 187.99 OF CHAPTER 187 ADMISSIONS TAX, PART ONE, TITLE NINE OF TAXATION CODE; EMERGENCY (JUD)

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

- 197/2017 23. 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 **PUB HRG HELD 8/28/17 @ 7:33 PM**
- 198/2017 24. APPROVE STATEMENT OF SERVICES TO PROVIDE TO THE PROP OWNER IN 4229 4TH ST. NW ANNEXATION AREA, APPROX DATE SERV WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY OF CANTON; EMERGENCY
- 199/2017 25. AUTHORIZE AUDITOR TO PAY MORAL OB TO ZENITH; EMERGENCY (\$3,332.00 FOR INSTALLATION OF NEW MICROPHONES IN CLERK OF COURT'S OFFICE)
- 200/2017 26. AMEND APPROP O#41/2017; EMERGENCY (\$15,000.00 SUPP APPROP FR UNAPPROP BAL OF 2155 CITY PARKING DECK/LOT FUND TO 2155 104040 TRAFFIC ENG/PARKING METER - PERSONNEL)
- 201/2017 27. AMEND APPROP O#41/2017; EMERGENCY (\$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; \$16,500.00 APPROP TRF FR 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER TO 1001 102075 POLICE - CONT PROFESS TRAINING - OTHER - \$15,000.00, TO 1001 501001 MAYOR ADMIN - OTHER - \$500.00, TO 1001 501101 HUMAN RESOURCES ADMIN - OTHER - \$1000.00)
- 202/2017 28. APPROVE AND ACCEPT REPLAT OF OUTLOT 1336; EMERGENCY (1115 CHERRY AVE NE FOR TERRY NOLAN, STANDARD PRINTING CO. IN WARD 2)
- 203/2017 29. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACT FOR BURNHAM HILLS SANITARY SEWER REALIGNMENT PROJ, GP 1220; AMEND APPROP O#41/2017; EMERGENCY (\$182,500.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206318 BURNHAM HILLS SANITARY SEWER REALIGNMENT PROJECT, GP 1220 - OTHER)
- 204/2017 30. AUTHORIZE AUDITOR TO MAKE PURCH ORDER ADJUSTMENTS AND PAY MORAL OB TO MICHAEL BAKER, JR., INC.; EMERGENCY (UP TO AMT OF CHANGE ORDER #2 TO MAHONING RD NE CORRIDOR PROJ, PHASE 1, GP 1103, CONSTRUCTION ENGINEERING CONTRACT)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, September 25, 2017 in Council Caucus Room at 6:00 PM**

- 1) Finance Committee
- 2) Public Property Capital Improvement Committee
- 3) Public Safety & Thoroughfares Committee

Chip and Seal Presentation - Street Department

MISCELLANEOUS BUSINESS: Member Smuckler said he's the type of person who always has to call the "fix-it" guy. He believes if you're going to do something, it should be done right the first time. Sherrick Rd. was used as an example of how money was spent to re-do the road a half-dozen times before being paved correctly. He believes the city is spending a lot of

money to extend the life of the streets, but is doing it wrong. Member Mariol is an advocate for chip and seal, and announced that there will be an explanation next week during the "Chip and Seal" presentation. In his Ward, people would like newly paved roads also, but believe they can't complain when comparing chip and seal to potholes. He also said that in Bath Township, near LaBron James' home, the roads are repaired by the chip and seal method. This method is being used to buy the city time to get its head above water to pave. It's not permanent, but will get rid of the potholes for now. Member Hawk believes chip and seal to be archaic and believes this is a giant step backwards. Member Smith told Member Mariol that he should not use the road near LaBron James' home as an example because Mr. James lives out in the country, unlike the residents of Georgeview Estates, who live in the city limits. Member Morris said that some constituents agree that chip and seal is better than potholes, but asked Service Director Bartos for a timeline when the roads would have some stability. Member Hall asked Service Director Bartos why the city is doing chip and seal on roads that are in decent condition, and said he witnessed this being done on 19th & Endrow, and again recently on Freedom, from East Tuscarawas to Georgetown Rd. Service Director Bartos answered Member Morris by saying that the sweeping of the rocks will be done this week. They had to give the rocks time to settle. He told Member Hall that he doesn't know who has evaluated what a good road is, but if the road was being repaired, someone in the Street Dept. must have determined that within a year, the road would not be in good condition, costing more money to repair. He said chip and seal is a more aggressive way to preserve the roads and keep them from exploding until they have money to pave. Member Mack said he was against the process of chip and seal 2 years ago, but has since done some research on it. He said it is not a throw back and that it's being done because there is no money to keep pace with failing roads. He agreed that this will help to preserve the roads until there is money to pave. Member Mariol said that if anyone has recommendations on what can be done, other than the chip and seal, to please bring those ideas to the presentation next week.

QUOTE OF THE WEEK: *"When you talk, you repeat what you already know; when you listen, you often learn something."* - Jared Sparks

ADJOURNMENT: 7:46 PM

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, SEPTEMBER 25, 2017 @ 7:00 PM