

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

DECEMBER 18, 2017

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Morris Absent

INVOCATION: Bill Smuckler, At-Large Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#1 - O#7; 2nd Rdg O#8 - O#10; O#1 - O#7 Adopted on 1st Rdg; O#8 Adopted on 2nd Rdg; O#9 Adopted as Amended on 2nd Rdg; O#10 Adopted on 2nd Rdg; O#14 - O#16 Adopted as Amended)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Attorney Irene MacDougall, who represents Johnson Controls Hall of Fame Village, thanked Council and the Administration for their hard work in trying to reach resolutions on a number of issues. She said it's been a pleasure to see people so engaged, and believes that the multiple meetings have created the basis for an ongoing cooperative relationship. She thanked everyone personally and on behalf of her client, and feels it's a privilege to be able to say in years to come that she was a part of it. She asked for Council's continued support and patience.

INFORMAL RESOLUTIONS:

48. COUNCIL-AS-A-WHOLE: COMMENDING LURENE GASSER AND GASSER FINE JEWELERS FOR THEIR FINE CUSTOMER SERVICE OVER THE YEARS. - ADOPTED
49. COUNCIL-AS-A-WHOLE: COMMENDING AT-LARGE COUNCIL MEMBER TOM HARMON FOR HIS DEDICATED PUBLIC SERVICE. - ADOPTED

COMMUNICATIONS:

467. CLERK OF COUNCIL DOUGHERTY: END OF TERM PENDING LEGISLATION PER COUNCIL RULE #29. - RECEIVED & FILED
468. MAYOR BERNABEI: AUTHORIZE ODOT TO CONSTRUCT PROJ AT I-77, US-62 AND FULTON RD WITHIN CITY OF CANTON; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL REQUIRED CONSTRUCTION AND MAINTENANCE AGMTS WITH ODOT; AUTHORIZE CITY OF CANTON TO ENTER INTO CONTRACT WITH ODOT TO MAKE PAYMENT FOR LOCAL SHARE OF PROJ; REQ \$120,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 (CAPITAL FUND) TO 4501-202048 (CAPITAL FUND - STA - I77-11.50, PID 100290, GP 1268 ORGANIZATION) (OTHER). - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
469. MAYOR BERNABEI: AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACTS PURSUANT TO CANTON CODIFIED ORDINANCE SEC 105.09 FOR PURCH OF SUPPLY EQUIP; ITEMS, MATERIALS, SUPPLIES AND SERVICES DURING 2018; AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ENTER INTO PROF SERVICES CONTRACTS PURSUANT TO CANTON CODIFIED ORDINANCE SEC 105.10 FOR APPLICABLE PROF SERVICES DURING 2018; AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ENTER INTO CONTRACTS PURSUANT TO ORC SEC 735.05 WITH QUALIFIED NONPROFIT AGENCIES AS DEFINED BY ORC SECS 4115.31 TO 4115.35 FOR PURCH OF SUPPLY EQUIP, ITEMS, MATERIALS, SUPPLIES AND SERVICES DURING 2018; AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ENTER INTO CONTRACTS FOR PURCH OF SUPPLY EQUIP, ITEMS, MATERIALS, SUPPLIES AND SERVICES DURING 2018 UTILIZING ANY PURCH PROCESS AUTHORIZED BY EITHER ORC OR CANTON CODIFIED ORDINANCES; AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ENTER INTO CHANGE ORDERS AND/OR CONTRACT AMENDMENTS FOR PURCH OF SUPPLY EQUIP, ITEMS, MATERIALS, SUPPLIES AND SERVICES DURING 2018; AUTHORIZE SAID CONTRACTS TO BE MULTIPLE YR CONTRACTS AND/OR CONTAIN RENEWAL PROVISIONS WHERE REQUIRED OR BENEFICIAL TO CITY; RETROACTIVELY AUTHORIZE AND RATIFY ANY AND ALL ACTIONS TAKEN PRIOR TO EXECUTION OF CONTRACTS FOR PURCH OF SUPPLY EQUIP, ITEMS, MATERIALS, SUPPLIES AND SERVICES DURING 2018 IF SAID ACTIONS WERE TAKEN PRIOR TO 3/1/18; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
470. MAYOR BERNABEI: REAUTHORIZE ORDINANCES NOT AUTHORIZED BY 2016-2017 COUNCIL; AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO COMPLETE CONTRACTS PREVIOUSLY AUTHORIZED BY SAID ORDINANCES; AUTHORIZE LAW DEPT, IN CONJUNCTION WITH APPROPRIATE AUTHORITY, TO MAKE ANY MINISTERIAL CHANGES, SUCH AS CORRECTION OF DATES, PROVIDED CHANGES OR AMENDMENTS DO NOT INVOLVE ADDITIONAL COSTS OR RESULT IN SUBSTANTIVE CHARGES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

471. PLANNING COMMISSION: REQ ZONE CHANGE AT 1120 15TH ST NW (PARCEL 280008) AKA FORMER LEHMAN HIGH SCHOOL BLDG FR R-1A (SINGLE FAMILY RESIDENTIAL) TO PR-4 (PLANNED MULTI-FAMILY RESIDENTIAL) FOR USE AS SENIOR APTS AND FAMILY TOWNHOMES, WARD 1. - JUDICIARY COMMITTEE
472. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR HOF VILLAGE #4 ANNEX (HOFV-HALL OF FAME VILLAGE DISTRICT, WARD 7). - ANNEXATION COMMITTEE
473. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR 4111 LOUISVILLE ST-MAHONING INDUSTRIAL PARK ANNEX (I-1 LIGHT INDUSTRIAL, WARD 6). - ANNEXATION COMMITTEE
474. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR 4229 4TH ST NW ANNEX (B-2 NEIGHBORHOOD BUSINESS, WARD 3). - ANNEXATION COMMITTEE
475. PLANNING COMMISSION: REQ ZONE CHANGE AT 617 MCKINLEY AVE SW (PARCELS 280007, 280082 & 280083) FR R-1A (SINGLE FAMILY RESIDENTIAL) TO PR-4 (PLANNED MULTI-FAMILY RESIDENTIAL FOR USE AS PERMANENT SUPPORTIVE HOUSING, WARD 4. - JUDICIARY COMMITTEE
476. PLANNING COMMISSION: APPROVE REPLAT OF LOTS 16752, 16753 & 16754, AKA TAX PARCELS 243194, 228819 & 228962, WARD 1 (1200 BLOCK OF 11TH ST NW FOR ATTY WILLIAM DEMSKY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
477. PLANNING COMMISSION: APPROVE REPLAT OF LOTS 35611, 35612 & 35613, AKA TAX PARCELS 302398, 304405, 304404 & 302400, WARD 6 (2900 BLOCK OF SAHARA AVE NE FOR ROY BROWN & STEVE CAMACHO). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
478. TREASURER PEREZ: REPORT OF 11/30/17 BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 11/30/17. - RECEIVED & FILED
479. TREASURER PEREZ: COMPARATIVE REPORT OF CASH RECEIPTS FR 1/1/17 TO 11/30/17. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

(COUNCIL RECESSED AT 7:16 PM FOR THE FINANCE COMMITTEE TO DISCUSS O#3, O#5 & O#6; RECONVENED AT 7:19 PM)

(COUNCIL RECESSED AT 7:19 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS O#4 & O#7; RECONVENED AT 7:21 PM)

(COUNCIL RECESSED AT 7:21 PM FOR THE JUDICIARY COMMITTEE TO DISCUSS O#1 & O#2; RECONVENED AT 7:27 PM)

- 270/2017** 1. OBJECT TO RENEWAL OF TWO LIQUOR PERMITS LOCATED IN CITY; EMERGENCY (RUBY SALOON, 2548 WINFIELD WAY NE, WARD 6; HOOCHS PUB, 1533 CLEVELAND AVE SW, WARD 5)
Referred to Judiciary Committee
- 271/2017** 2. AMEND TITLE THREE - LICENSING CONTRACTORS OF PART THIRTEEN, BUILDING CODE OF CODIFIED ORDINANCES OF CITY OF CANTON BY ADDITION OF CHAPTER 1312, GENERAL CONSTRUCTION
Referred to Judiciary Committee
- 272/2017** 3. AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OH FOR ACCEPTANCE OF JUSTICE REINVESTMENT GRANT; AUTHORIZE AUDITOR TO CREATE 2799 JUSTICE REINVESTMENT GRANT-PRETRIAL SERVICES FUND; AMEND APPROP O#41/2017; EMERGENCY (\$285,301.00 SUPP APPROP FR UNAPPROP BAL OF 2799 701001 JUSTICE REINVESTMENT GRANT-PRETRIAL SERVICES FUND TO 2799 701001 JUSTICE REINVESTMENT GRANT-PRETRIAL SERVICES - PERSONNEL)
Referred to Finance Committee
- 273/2017** 4. AMEND O#248/2014; EMERGENCY (ECONOMIC GROWTH INITIATIVE PROG WITH STOLLE MACHINERY)
Referred to Community & Economic Development Committee
- 274/2017** 5. AMEND APPROP O#41/2017; EMERGENCY (\$59,474.70 SUPP APPROP FR UNAPPROP BAL OF 2789 2012 COPS HIRING PROG GRANT FUND TO 2789 102001 POLICE ADMIN - OTHER; \$59,474.70 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN - OTHER; \$59,474.70 INTER-FUND TRF FR 1001 102001 POLICE ADMIN - TRF OUT TO 2789 102001 POLICE ADMIN - TRF IN)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 275/2017** 6. AMEND APPROP O#41/2017; EMERGENCY (\$24,237.68 APPROP TRF FR 1001 101001 SAFETY DIRECTOR ADMIN - PERSONNEL, \$68,097.33 APPROP TRF FR 1001 102001 POLICE - ADMIN - PERSONNEL, \$13,000.00 APPROP TRF FR 1001 102040 POLICE - VICE - PERSONNEL, \$59,145.73 APPROP TRF FR 1001 102050 POLICE - PATROL- PERSONNEL, \$3,532.32 APPROP TRF FR 1001 102070 POLICE TRAINING - PERSONNEL, \$15,867.40 APPROP TRF FR 1001 102080 POLICE - TRAFFIC - PERSONNEL, \$15,000.00 APPROP TRF FR 1001 102501 SCHOOL POLICE ADMIN - PERSONNEL, \$80,119.54 APPROP TRF FR 1001 103501 CENTRAL COMMUNICATION ADMIN - PERSONNEL TO 1001 103001 FIRE ADMIN - PERSONNEL - \$279,000.00; \$100.00 APPROP TRF FR 5410 201001 SERVICE DIRECTOR ADMIN - PERSONNEL TO 5410 202020 URBAN FORESTRY - PERSONNEL; \$676.50 ADDT'L APPROP FR UNAPPROP BAL OF FUND 2353 SWIMMING POOL TO 2353 301001 HEALTH - ADMIN - PERSONNEL; \$25,000.00 APPROP REDUCTION FR 1153 501001 MAYOR - ADMIN - OTHER TO UNAPPROP BAL OF FUND 1153 HISTORIC ONESTO PROJ LOAN FUND; \$47,406,130.64 APPROP REDUCTION FR 5442 206054 WRF PHOSPHORUS (CONSTRUCTION) - OTHER TO UNAPPROP BAL OF FUND 5442 WRF PHOSPHORUS PROJ FUND; \$809,689.62 APPROP REDUCTION FR 7502 801001 AUDITOR - ADMIN - OTHER TO UNAPPROP BAL OF FUND 7502 PAYROLL CLEARING FUND)
Referred to Finance Committee
- 276/2017** 7. AUTHORIZE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FR CCIC; EMERGENCY (GEORGETOWN RD NE)
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:***(SUSPENDED RULE 22A TO ADD O#8 - O#10; O#8 ADOPTED, O#9 ADOPTED AS AMENDED; O#10 ADOPTED)***

- 277/2017** 8. ADOPT TEMP APPROP FOR OPERATING AND CAPITAL EXPENDITURES OF CITY OF CANTON, OHIO FOR FISCAL YR 2018; EMERGENCY (FIN)
- AMENDED AS**
- 278/2017** 9. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT WITH STARK CO. PUBLIC DEFENDER COMMISSION FOR PROVISION OF LEGAL SERVS TO INDIGENTS; EMERGENCY (FIN)
- 279/2017** 10. AUTHORIZE SAF DIR TO RECEIVE THE 2017 COPS HIRING PROG GRANT IN ESTIMATED AMT OF \$1,000,000.00; AUTHORIZE AUDITOR TO CREATE THE 2784 2017 COPS HIRING GRANT FUND; EMERGENCY (FIN)

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

- 280/2017** 11. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE A DEVELOPMENT AGMT, AN OPERATIONS & MAINT AGMT, AND ALL NECESSARY AGMTS RELATED TO JOHNSON CONTROLS HALL OF FAME VILLAGE; EMERGENCY
- 281/2017** 12. PROVIDE FOR ISSUANCE OF NOTE BY CITY OF CANTON IN ANTICIPATION OF COLLECTION AND PAYMENT OF INCOME TAXES, GENERAL PROPERTY TAXES, AND MISC OTHER SOURCES TO CITY OF CANTON; DECLARE NECESSITY OF ISSUANCE OF SAID NOTE PROCEEDS WHICH WILL BE USED FOR PAYMENT OF CURRENT EXPENDITURES AND OPERATION EXPENSES; AMEND APPROP O#41/2017; EMERGENCY (\$2,000,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 801001 ANTICIPATORY NOTE - OTHER)
- 282/2017** 13. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$4,160 TO HABITAT FOR HUMANITY EAST CENTRAL OH; EMERGENCY (DEMO OF GARAGE @ 2241 16TH ST NE)
- AMENDED AS**
- 283/2017** 14. AMEND APPROP O#41/2017; EMERGENCY (\$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 801001 AUDITOR - ADMIN - OTHER; \$500,000.00 INTER FUND TRF FR 1001 801001 AUDITOR - OTHER TO 6017 201001 SERVICE DIRECTOR - OTHER)
- AMENDED AS**
- 284/2017** 15. AMEND APPROP O#41/2017; EMERGENCY (\$30,000.00 SUPP APPROP FR UNAPPROP BAL OF 6023 COMPENSATED ABSENCE CLAIM FUND TO 6023 801001 AUDITOR - ADMIN - PERSONNEL)
- AMENDED AS**
- 285/2017** 16. SUSPEND AUTOMATIC WAGE INCREASES FOR ALL CITY MGMT AND NON-BARGAINING UNIT PERSONNEL AND ELECTED OFFICIALS FOR 2018; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS: None

MISCELLANEOUS BUSINESS: Deputy Mayor Williams read a letter to the Mayor dated December 14th regarding the closing of Union Metal. He indicated that the Mayor's staff met with Union Metal today. They are trying to work with them, in addition to speaking with their partners at the State level, and will do everything in their power to save these jobs. They will keep Council informed. Member Mariol said that it was a great pleasure working with Member Harmon. He has learned a lot from him over the past two years, and will look back and enjoy their time working together. Law Director Martuccio thanked everyone on Council for recognizing the hard work and dedication that went into negotiating the Hall of Fame Village agreements. He congratulated all members of Council for completing a new term, and Corey Minor Smith on her upcoming term. He thanked Member Harmon stating that he was a role model in working with the Law Department. He gave the example of when Member Harmon brought to them a state of the art parking ordinance. He said that Member Harmon was always extremely courteous and diligent, and he will miss working with him. He wished him the best for the future, and Happy Holidays to him, his wife, his family and all his friends and support group. He ended with a quote from Charles Dickens' character, Tiny Tim, "God bless us everyone." Member Smuckler teased Member Harmon about not understanding Rule 22A and about passing a Resolution for his hearing doctor. He said you can always count on Member Harmon for his friendship. There have been many opportunities to call Member Harmon for help and he has always been there. He is looking forward to their plans for this summer to attend a New York baseball game. President Schulman said that Member Harmon is amazing. He helps everyone, he has helped the whole community, and he will miss him. He thanked Member Harmon and his wife for everything they've done for the community. Mayor Bernabei wished Member Harmon and his wife well, and told him to make this his final decision not to re-enter public life. He thanked him on his behalf and on behalf of his entire Cabinet. Clerk Dougherty thanked Member Harmon for his hard work and dedication and support for the Council staff.

QUOTE OF THE WEEK: *"Christmas gift suggestions: To your enemy, forgiveness. To an opponent, tolerance. To a friend, your heart. To a customer, service. To all, charity. To every child, a good example. To yourself, respect."* -Oren Arnold, Author.

ADJOURNMENT: 7:55 P.M.

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JANUARY 8, 2018 @ 7:00 PM