

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

CANTON CITY COUNCIL

FEBRUARY 5, 2018

**ROLL CALL:** All Members Present

**MOTION TO EXCUSE MEMBERS:** Not Necessary

**INVOCATION:** Corey Minor Smith, At-Large Council Member

**PLEDGE OF ALLEGIANCE:** President Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#7 - O#17; O#6 Retained in Committee; O#16 & O#17 Adopted on 2<sup>nd</sup> Rdg; O#32 Postponed)

**PUBLIC HEARINGS:**

- 7:00 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; PLANNING COMMISSION RECOMMENDED APPROVAL (1120 15<sup>TH</sup> ST NW FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PR-4 (PLANNED MULTI-FAMILY RESIDENTIAL) FOR RODRIGUEZ ASSOCIATES ON BEHALF OF CANTON COMMUNITY IMPROVEMENT CORP)  
(NO SPEAKERS) **O#11/2018**
- 7:01 PM AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE HALL OF FAME VILLAGE #4 ANNEXATION AREA CONTAINING APPROXIMATELY 8.363 ACRES IN PLAIN TOWNSHIP; PLANNING COMMISSION RECOMMENDED APPROVAL; ASSIGNING SAID TERRITORY TO WARD 7 OF THE CITY; ZONING SAID TERRITORY AS HOFV (HALL OF FAME VILLAGE DISTRICT)  
(NO SPEAKERS) **O#12/2018**
- 7:02 PM AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE 4111 LOUISVILLE ST-MAHONING INDUSTRIAL PARK ANNEXATION AREA CONTAINING APPROXIMATELY .637 ACRE IN PLAIN TOWNSHIP; PLANNING COMMISSION RECOMMENDED APPROVAL; ASSIGNING SAID TERRITORY TO WARD 6; ZONING SAID TERRITORY AS I-1 (LIGHT INDUSTRIAL)  
(NO SPEAKERS) **O#13/2018**
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- 7:03 PM AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE 4229 4<sup>TH</sup> ST NW ANNEXATION AREA CONTAINING APPROXIMATELY .193 ACRE IN CANTON TOWNSHIP; PLANNING COMMISSION RECOMMENDED APPROVAL; ASSIGNING SAID TERRITORY TO WARD 3; ZONING SAID TERRITORY AS B-2 (NEIGHBORHOOD BUSINESS) **O#14/2018**

**OLD BUSINESS (PUBLIC SPEAKS):** None

**PUBLIC SPEAKS (CITY BUSINESS):** Pete DiGiacomo spoke about the shopping cart debate. He is not concerned about the people who take groceries home in their carts; they will bring them back. The problem is with the scrappers who leave the carts wherever they dump the scrap. Frank Gerstenslager wants to know who is responsible for the roads as far as the Hall of Fame Village is concerned. There is a drain pipe that needs repaired on his street, and he is concerned what is going to happen to all the roads. Brenda Baylor spoke about the monitoring system at Republic Steel. She learned from someone at a meeting on Saturday that smoke has been seen at night, and possibly the filtering system is being turned off. She did advise the Health Department about this. She stated that by doing so, Republic Steel would save money which would benefit them, not the residents. Ken Jones thanked Member Smith for being responsive regarding the SMHA zone change at 6<sup>th</sup> and McKinley SW and preserving the neighborhood.

**INFORMAL RESOLUTIONS:** None

**COMMUNICATIONS:**

55. AUDITOR MALLONN: MTHLY RPT BY FUND FOR 1/1/18 THRU 1/31/18. - RECEIVED & FILED
56. AUDITOR MALLONN: YRLY RPT BY FUND FOR 1/1/18 THRU 1/31/18. - RECEIVED & FILED
57. MAYOR BERNABEI: REQ AUTHORIZATION FOR APPT OF PATRICK MCCARTHY TO INVESTMENT BOARD FOR 2 YR TERM COMMENCING 1/1/18 TO 12/31/19. - PERSONNEL COMMITTEE
58. MAYOR BERNABEI: REQ AUTHORIZATION FOR RE-APPT OF DAWN M. DEVINE TO INVESTMENT BOARD FOR 2 YR TERM COMMENCING 1/1/18 TO 12/31/19. - PERSONNEL COMMITTEE
59. MAYOR BERNABEI: REQ AUTHORIZATION FOR RE-APPT OF KATELYN S. REINHART AND INDIA JENKINS TO TAX INCENTIVE REVIEW BOARD COMMENCING 1/1/18 TO 12/31/21. - PERSONNEL COMMITTEE
60. PLANNING COMMISSION: REQ VACATION OF BLAKE AVE NW FROM SOUTH LINE OF LOT 241 OF FULTON HEIGHTS; REPLATTING VACATED STREET AND OUT LOT 1397, WARD 7 (HOFV #4 ANNEXATION). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
61. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO PROFESSIONAL SERVICES CONTRACT WITH FRANKLIN INFORMATION SYSTEMS FOR SOFTWARE, TRAINING AND IMPLEMENTATION FOR BLDG/CODE DEPT; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
62. SERVICE DIRECTOR HIGHMAN: REQ CONSENT LEGISLATION WITH ODOT FOR D04 FY2018, US-62/HARMONT SIGNAL IMPROVEMENTS, PID 107440 PROJ. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

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

- 1<sup>ST</sup> RDG 1. AUTHORIZE MAYOR TO ENTER INTO COMMUNITY REINVESTMENT AREA AGMT WITH JIT PACKAGING CINCINNATI, INC./GOODLAND PROPERTIES CANTON LLC TO PROVIDE REAL PROPERTY TAX EXEMPTIONS FOR 1212 - 7<sup>TH</sup> ST SW; EMERGENCY  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 2. APPROVE STATEMENT OF SERVICES TO BE PROVIDED TO PROPERTY OWNERS IN HOF VILLAGE #5 ANNEX AREA, APPROX DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO CITY OF CANTON, OH; EMERGENCY  
Referred to Annexation Committee
- 1<sup>ST</sup> RDG 3. AMEND APPROP O#277/2017; EMERGENCY (\$4,400.00 APPROP TRF FR 2318 301001 LOCAL AIDS PREVENTION FUND - 600 - PERSONNEL TO 2318 301001 LOCAL AIDS PREVENTION FUND - 700 - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 4. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO PROFESSIONAL SERVICES CONTRACT WITH BLACK, MCCUSKEY, SOUERS AND ARBAUGH LPA FOR LEGAL SERVICES RELATED TO WORKERS' COMPENSATION CASES; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD, EXECUTE CONSTRUCTION CONTRACT AND PROFESSIONAL SERVICES CONTRACT, PURCHASE AND MAKE PAYMENT FOR ANY AND ALL EASEMENTS, AND ENTER INTO AGMT WITH OHIO EPA TO RECEIVE LOAN FOR CANTON SOUTH - CLEVELAND AVE WATERLINE EXTENSION (REGIONALIZATION); AUTHORIZE AUDITOR TO CREATE 5235 CANTON SOUTH-CLEVELAND AVE WATERLINE EXTENSION PROJ (REGIONALIZATION) FUND; AMEND APPROP O#277/2017; EMERGENCY (\$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207048 CANTON SOUTH - CLEVELAND AVE WATERLINE EXTENSION PROJ (REGIONALIZATION) FUND - OTHER)  
Referred to Finance and Public Property Capital Improvements Committees

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#7 - O#17; O#6 RETAINED IN COMMITTEE; O#16 & O#17 ADOPTED)****RETAINED IN**

- CMTE 6. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (617 MCKINLEY AVE SW, PARCEL #280007, #280082, AND #280083 FR R-1A (SINGLE-FAMILY RESIDENTIAL) TO PR-4 (PLANNED MULTI-FAMILY RESIDENTIAL) (SMHA) (JUD)  
**PUB HRG 2/12/18 @ 7:00 PM**
- 2<sup>ND</sup> RDG 7. APPROVE AND ADOPT CITY OF CANTON POLICY AND PROCEDURES FOR CITY PROVIDED CREDIT CARDS; EMERGENCY (FIN & JUD)
- 2<sup>ND</sup> RDG 8. AMEND APPROP O#277/2017; EMERGENCY (\$27,617.36 SUPP APPROP FR UNAPPROP BAL OF 2769 BYRNE MEM JUSTICE ASSIT GRANT 2016 FUND TO 2769 100201 POLICE ADMIN - OTHER; \$25,226.69 FR UNAPPROP BAL OF 2770 BYRNE MEM JUSTICE ASSIT GRANT 2015 FUND TO 2770 100201 POLICE ADMIN - OTHER; \$20,206.17 SUPP APPROP FR UNAPPROP BAL OF 2787 BYRNE MEM JUSTICE ASSIT GRANT 2014 FUND TO 2787 100201 POLICE ADMIN - OTHER) (MOVE MONIES TO CORRECT FUNDS) (FIN)
- 2<sup>ND</sup> RDG 9. AMEND APPROP O#277/2017; EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 2318 LOCAL AIDS PREVENTION FUND TO 2813 301001 LOCAL AIDS PREVENTION - 700 OTHER) (FIN)
- 2<sup>ND</sup> RDG 10. AUTHORIZE LAW DIR TO ENTER INTO CONTRACTS WITH NAMED CITIES AND VILLAGES TO PROVIDE LEGAL REPRESENTATION IN PROS OF CRIMINAL CASES AND RELATED MATTERS BY CITY PROS OFFICE; EMERGENCY (E. CANTON, E. SPARTA, HARTVILLE, LOUISVILLE, MAGNOLIA, N. CANTON, WAYNESBURG) (FIN)
- 2<sup>ND</sup> RDG 11. APPROVE AND ACCEPT REPLAT OF LOTS 22501 - 22509; EMERGENCY (2100 BLOCK OF 7<sup>TH</sup> ST NE, BETWEEN BELDEN AVE NE AND GOBEL AVE NE (HABITAT FOR HUMANITY) (PS&T)
- 2<sup>ND</sup> RDG 12. AMEND EXHIBIT A TO O#40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON AND AMEND EXHIBIT A TO O#100/2011, AS AMENDED, CLASSIFICATION PLAN FOR MGMT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (SANITARY SEWER EPA ADMIN ORDER ON CONSENT) (PERS)
- 2<sup>ND</sup> RDG 13. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH MUNICIPAL & FINANCIAL SERVS GROUP; AMEND APPROP O#277/2017; EMERGENCY (\$68,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207001 WATER ADMINISTRATION - OTHER; \$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206005 OPERATIONS AND MAINTENANCE - OTHER) (WATER AND SEWER RATE STUDY) (FIN)
- 2<sup>ND</sup> RDG 14. APPROVE CANTON CITY WATER MAIN EXTENSION TO VILLAGE OF HARTVILLE; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT FOR EXTENSION OF WATER MAIN; EMERGENCY (GENTLEBROOK VILLAGE & THE WOODLANDS) (EP&U)
- 2<sup>ND</sup> RDG 15. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT WITH CT CONSULTANTS, INC; AMEND APPROP O#277/2017; EMERGENCY (\$76,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207050 FAIRMOUNT AREA WATER MAIN REPLACEMENT PROJ, PHASE II - OTHER) (FIN)

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

- 9/2018** 16. AMEND APPROP O#277/2017; EMERGENCY (\$2,931.98 APPROP TRF FR 2767 701001 MISDEMEANANT JAIL DIVERSION GRANT FUND - PERSONNEL TO 2767 701001 MISDEMEANANT JAIL DIVERSION GRANT - OTHER) (RETURN UNSPENT FY 17 GRANT FUNDS TO STATE OF OH) (FIN)
- 10/2018** 17. AMEND APPROP O#277/2017; EMERGENCY (\$57,687.00 SUPP APPROP FR UNAPPROP BAL OF 2789 2012 COPS HIRING PROG GRANT FUND TO 2789 102001 POLICE ADMIN - OTHER) (RETURN OVERDRAWN MONIES AND FINALIZE AUDIT) (FIN)

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

- 11/2018** 18. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCEL #280008, 1120 15<sup>TH</sup> ST NW, LEHMAN HIGH SCHOOL) **PUB HRG 2/5/18 @ 7:00 PM**
- 12/2018** 19. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS HOF VILLAGE #4 ANNEXATION AREA CONTAINING APPROX 8.363 ACRES; ASSIGNING SAID TERRITORY AS HALL OF FAME VILLAGE DISTRICT (HOFV); EMERGENCY **PUB HRG 2/5/18 @ 7:01 PM**
- 13/2018** 20. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS 4111 LOUISVILLE ST-MAHONING INDUSTRIAL PARK ANNEXATION AREA CONTAINING APPROX .637 ACRE; ASSIGNING SAID TERRITORY AS I-1 (LIGHT INDUSTRIAL DISTRICT); EMERGENCY **PUB HRG 2/5/18 @ 7:02 PM**
- 14/2018** 21. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS 4229 4<sup>TH</sup> ST NW ANNEXATION AREA CONTAINING APPROX .193 ACRE; ASSIGNING SAID TERRITORY AS B-2 (NEIGHBORHOOD BUSINESS); EMERGENCY **PUB HRG 2/5/18 @ 7:03 PM**
- 15/2018** 22. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$6,684 TO BLACK, MCCUSKEY, SOUERS & ARBAUGH LAW FIRM; EMERGENCY (HERCULES BROADVIEW DEVELOPMENT TIF AGMTS)
- 16/2018** 23. AMEND APPROP O#277/2017; EMERGENCY (\$350.00 SUPP APPROP FR UNAPPROP BAL OF 2327 LEAD ASSESSMENT FUND TO 2327 301001 HEALTH ADMIN - PERSONNEL; \$185.00 SUPP APPROP FR UNAPPROP BAL OF 2329 SMOKE FREE OHIO FUND TO 2329 301001 HEALTH ADMIN - PERSONNEL; \$150.00 SUPP APPROP FR UNAPPROP BAL OF 2356 TATTOO PARLORS FUND TO 2356 301001 HEALTH ADMIN - PERSONNEL; \$21,175.00 SUPP APPROP FR UNAPPROP BAL OF 2760 FEDERAL FORFEITURE FUND TO 2760 102001 POLICE ADMIN - PERSONNEL; \$375,000.00 SUPP APPROP FR UNAPPROP BAL OF 2784 2017 COPS HIRING GRANT FUND TO 2784 102001 POLICE ADMIN - OTHER; \$88,197.22 SUPP APPROP FR UNAPPROP BAL OF 2795 JUSTICE REINV GRANT PROB FUND TO 2795 701001 JUDGES ADMIN - PERSONNEL)
- 17/2018** 24. AUTHORIZE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF VARIOUS COMPONENT CODES OF CODIFIED ORDINANCES OF CANTON, OH; EMERGENCY
- 18/2018** 25. AUTHORIZE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF 2017 SUPPLEMENT TO CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR SALE OF SAME; EMERGENCY (\$8.50)

**AMENDED AS**

- 19/2018** 26. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$183,700 TO CENTRAL ALLIED ENTERPRISES, INC; AMEND APPROP O#277/2017; EMERGENCY (\$183,700.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 DISTRIBUTION MAINTENANCE - OTHER)
- 20/2018** 27. AUTHORIZE AUDITOR TO PAY TWO MORAL OBS IN AMT NOT TO EXCEED \$8,354.65 TO STANDARD PLUMBING & HEATING CO.; EMERGENCY (REPAIRS TO CITY HALL CHILLERS)
- 21/2018** 28. AUTHORIZE AUDITOR TO PAY ALL MORAL OBS OWED FOR BOTH CONSTRUCTION AND CONSTRUCTION ENGINEERING SERVICES RELATED TO 38<sup>TH</sup> ST IMPROVEMENT PROJ; EMERGENCY
- 22/2018** 29. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY TO PURCHASE (1) INTERNATIONAL TANDEM DUMP TRUCK, (1) CARGO VAN, AND (1) MINI EXCAVATOR WITH TRAILER; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY COOP PURCHASING AGMTS AUTHORIZED BY LAW; EMERGENCY (WATER DEPT)
- 23/2018** 30. AUTHORIZE MAYOR, SERV DIR OR SAF DIR TO APPLY FOR, ENTER INTO AGMT FOR, AND RECEIVE FUNDS FR MULTIPLE POTENTIAL FUNDING SOURCES FOR VARIOUS CITY PROJS; EMERGENCY

**AMENDED AS**

- 24/2018** 31. AMEND EXHIBIT A TO ORDINANCE #100/2011, AS AMENDED, CLASSIFICATION PLAN FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (FACILITY ENGINEER (WATER), ENGINEER II)

**POSTPONED UNTIL**

- 2/12/18** 32. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (LESH PROPERTIES, PARCELS 380288 & 304826, 3501 & 3533 LESH ST NE) **PUB HRG 2/26/18 @ 7:00 PM**
- 25/2018** 33. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO CONTRACT WITH AXON ENTERPRISES, INC. FOR UNLIMITED TASER CARTRIDGE PROG; EMERGENCY (POLICE & FIRE)

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE CONTINUED:****AMENDED AS**

**26/2018** 34. RESOLUTION DIRECTING STARK COUNTY BOARD OF ELECTIONS TO CONDUCT ELECTION AT PRIMARY ELECTION ON 5/8/18 FOR PURPOSE OF PROVIDING ELECTORS OF CITY OF CANTON, OH WITH OPPORTUNITY TO APPROVE OR DISAPPROVE LEVY PROVIDING FOR PROPOSED INCREASE IN CITY OF CANTON, OH INCOME TAX ORDINANCE FR 2% TO 2.5%, EFFECTIVE FOR COLLECTING COMMENCING 7/1/18 FOR CONTINUING PERIOD OF TIME, SUCH INCREASE TO BE USED AND ALLOCATED FOR PURPOSES OF PUBLIC SAFETY (POLICE & FIRE) AND OTHER GENERAL OPERATING EXPENSES, CITY INFRASTRUCTURE, STREETS AND ROADS, NEIGHBORHOOD DEVELOPMENT, INCLUDING DEMOS, CODE ENFORCEMENT AND HOUSING PROGRAMS, AND FOR PURPOSES PRIORITIZED IN MOST CURRENT COMPREHENSIVE PLAN, AND SUBSEQUENT AMENDMENTS APPROVED BY COUNCIL, INCLUDING ECONOMIC AND DOWNTOWN DEVELOPMENT, JOB CREATION, EXPANSION AND RETENTION; EMERGENCY

**AMENDED AS**

**27/2018** 35. AMEND SECS 182.012 AND 182.013 OF PART ONE OF CODIFIED ORDINANCES OF CITY OF CANTON (INCOME TAX INCREASE FR 2% TO 2.5%)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, February 12, 2018 in Council Caucus Room at 6:30 PM**

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

**MISCELLANEOUS BUSINESS:** Member Minor Smith acknowledged February as Black History Month. It is very specific for 2018 because instrumental civil rights law was put into place in 1968 and significant incidents in history have lead us to this year and the rights of African Americans as well as women. It is also the 50<sup>th</sup> anniversary of the Poor Peoples Campaign and the incorporation of African Americans in the labor movement. Also, April marks the 50<sup>th</sup> anniversary of Dr. Martin Luther King, Jr.'s assassination as well as the significant strides from 1968 to the present. She thanked everyone for celebrating Black History Month, as well as all year long.

**QUOTE OF THE WEEK:** *"The third-rate mind is only happy when it is thinking with the Majority. The second-rate mind is only happy when it is thinking with the Minority. The first-rate mind is only happy when it is thinking."*

**ADJOURNMENT:** 8:00 P.M.