

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

CANTON CITY COUNCIL

MARCH 12, 2018

**ROLL CALL:** All Members Present

**MOTION TO EXCUSE MEMBERS:** Not Necessary

**INVOCATION:** Robert Fisher, Ward 5 Council Member

**PLEDGE OF ALLEGIANCE:** President Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#8 - O#14 & O#16 - O#22; O#15 Retained in Committee)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** George Lancaster, who works for Canton City Schools and is the Canton City Police Department Chaplain, circulated a packet to Council and the Administration regarding diabetes. He spoke about the prevalence of diabetes and its affect on every limb of a person's body. He and his family started a foundation called the Tyler Lancaster Foundation after a young man who was affected by diabetes, which was actually unknown. They work with the NFL, Hall of Fame and Mercy Medical Center. They will be bringing Charles Harris from the Miami Dolphins and Malik Hooker from the Indianapolis Colts to this area in the next couple weeks since March is Nutrition Month and March 27<sup>th</sup> is Diabetes Alert Day. *(At this point, President Schulman informed Mr. Lancaster that his time was up)*

**INFORMAL RESOLUTIONS:**

21. PERSONNEL COMMITTEE: CONFIRM RE-APPT OF BERNADINE SNELL TO BOARD OF HEALTH FOR 5-YR TERM COMMENCING 4/1/18 - 3/31/23. - ADOPTED
22. PERSONNEL COMMITTEE: CONFIRM APPT OF ERNIE SCHOTT TO FAIR HOUSING COMMISSION COMMENCING 3/12/18 - 12/31/20. - ADOPTED

**COMMUNICATIONS:**

124. DEVELOPMENT DIRECTOR SEWARD: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROFESSIONAL SERVICES CONTRACT WITH MULLIN & LONERGAN ASSOC, INC. IN APPROX AMT OF \$21,600.00 FOR PREP OF CITY OF CANTON 2019-2023 CONSOLIDATED PLAN; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
125. FINANCE DIRECTOR CROUSE: REQ \$80,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 204010 OTHER BUILDINGS - OTHER FOR \$20,000.00 AND TO 1001 753020 LAW - NON OPERATIONAL - OTHER FOR BUDGET SHORTFALLS IN LAW DEPT AND BUILDING MAINTENANCE. - FINANCE COMMITTEE
126. HEALTH COMMISSIONER ADAMS: REQ \$810,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2314 FAMILY HEALTH TO FUND 2314 301001 FAMILY HEALTH - 700 OTHER. - FINANCE COMMITTEE
127. LAW DIRECTOR MARTUCCIO: APPROVE RELOCATION OF DOMINION ENERGY GAS LINE REQUIRED BY RT 62/HARRISBURG RD/30TH ST NE ROADWAY IMPROVEMENT PROJ (STA-62-24.90, PID 96346) TO BE PLACED PARTIALLY ON LANDS OWNED BY CANTON NEAR WILLIG FIELD AND HARRISBURG RD NE WATER TREATMENT PLANT. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
128. MAJORITY LEADER SMITH: REQ AUTHORIZATION OF APPT OF COREY MINOR SMITH AND KEVIN HALL TO COMMUNITY REINVESTMENT AREA HOUSING COUNCIL COMMENCING 3/19/18 THRU COMPLETION OF THEIR COUNCIL TERMS. - PERSONNEL COMMITTEE
129. MAYOR BERNABEI: REQ AUTHORIZATION FOR REAPPT OF VIRGINIA JEFFRIES AND LOVIE HAILEY TO FAIR EMPLOYMENT PRACTICES BOARD COMMENCING RETRO FR 3/1/18 THRU 12/31/19. - PERSONNEL COMMITTEE
130. MAYOR BERNABEI: REQ AUTHORIZATION FOR REAPPT OF AMANDA STEWART TO COMMUNITY REINVESTMENT AREA HOUSING COUNCIL FOR 3 YR TERM COMMENCING RETRO FR 1/1/18 THRU 12/31/20. - PERSONNEL COMMITTEE
131. SERVICE DIRECTOR HIGHMAN: WRF 2017 ANNUAL REPORT OF OPERATION. - RECEIVED & FILED
132. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH MCKINLEY EDGEWOOD DEV CO, LLC TO EXTEND WATER MAIN TO THE FOUNTAIN AT EDGEWOOD (PLAIN TWP) AND PROVIDE ALL NECESSARY WATER MAIN MATERIALS FOR SAID EXTENSION; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL AGMTS, INCLUDING EASEMENT AGMTS, NECESSARY FOR SAID EXTENSION; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE

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

- 1<sup>ST</sup> RDG 1. APPROVE STATEMENT OF SERVICES TO BE PROVIDED TO PROPERTY OWNER IN 77 GULLIVERS/2414 FAIRCREST ST SW ANNEXATION 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 2. PROVIDE FOR ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,900,000 TO PROVIDE FUNDS TO MAKE LOAN FOR ECONOMIC DEV IN CITY; AUTHORIZE RELATED MATTERS; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 3. AUTHORIZE MAYOR OR SERV DIR TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO CANTON COMMUNITY IMPROVEMENT CORP; EMERGENCY (PARCEL #10002545, ALLEN AVE SE)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 4. AMEND CHAPTERS 185, TRANSIENT LODGING TAX AND 759, ROOMING HOUSES, LODGING HOUSES AND RESIDENTIAL SOCIAL SERVICE FACILITIES OF CANTON CODIFIED ORDINANCES  
Referred to Judiciary Committee
- 1<sup>ST</sup> RDG 5. AUTHORIZE ANDREW ROTH, AS PURCHASING DIR, TO RECEIVE SALARY OF \$75,000 AND TEN (10) DAYS VACATION PER YR BEGINNING IN 2018, UNTIL HIS CITY ACCRUED TIME CORRELATES WITH APPLICABLE CITY VACATION SCHEDULE; EMERGENCY  
Referred to Personnel Committee
- 1<sup>ST</sup> RDG 6. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR TREE PLANTING PROJ, GP 1256 - PHASE 2; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 7. ADOPT PLANS, AUTHORIZE MAYOR OR SERV DIR TO COOPERATE WITH AND REQUEST TRANSPORTATION DIR TO PROCEED WITH REALIGNING AND RECONFIGURING INTERSECTIONS US 62, MIDDLEBRANCH, HARRISBURG AND 30<sup>TH</sup> ST, INCLUDING CONSTRUCTION OF ROUNDABOUT AT HARRISBURG AND 30<sup>TH</sup> ST, WITHIN CITY OF CANTON; AMEND APPROP O#277/2017; EMERGENCY (\$450,000.00 APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING FUND TO 5201 207022 DISTRIBUTION MAINTENANCE - OTHER)  
Referred to Environmental & Public Utilities and Finance Committees

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#8 - O#14 & O#16 - O#22; O#15 RETAINED IN COMMITTEE)**

- 2<sup>ND</sup> RDG 8. APPROVE STATEMENT OF SERVICES TO BE PROVIDED TO PROP OWNER IN 44<sup>TH</sup> ST NE ANNEXATION AREA, APPROX DATE SERV WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY OF CANTON; EMERGENCY (ANNEX)
- 2<sup>ND</sup> RDG 9. PROVIDE FOR ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$4,750,000.00 TO PROVIDE FUNDS TO PAY PORTION OF COSTS ACQUIRING, CONSTRUCTING, IMPROVING, FURNISHING OR EQUIPPING ECONOMIC DEV PROJ IN THE CITY; AUTHORIZE RELATED MATTERS; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 10. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$3,500,000.00 FOR PURPOSE OF PAYING COSTS OF ACQUIRING, CONSTRUCTING, RECONSTRUCTING AND IMPROVING CITY BLDGS, INCLUDING, WITHOUT LIMITATIONS, REPLACEMENT OF CITY HALL ROOF, CIVIC CENTER ROOF AND IMPROVEMENTS TO OTHER CITY FACILITIES (FIN)
- 2<sup>ND</sup> RDG 11. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,000,000.00 FOR PURPOSE OF PROVIDING FUNDS TO PAY COURT-APPROVED SETTLEMENT OF CLAIM AGAINST THE CITY (FIN)
- 2<sup>ND</sup> RDG 12. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,050,000.00 FOR PURPOSE OF PAYING COSTS OF REVITALIZATION WITHIN THE CITY AND ADDRESSING PROP CONDITIONS DELETERIOUS TO PUBLIC HEALTH AND SAFETY THRU DEMO OF DETERIORATING STRUCTURES AND IMPROVEMENT OF THOSE SITES, ENABLING USE OR REUSE OF LANDS WITHIN THE CITY (FIN)
- 2<sup>ND</sup> RDG 13. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$6,373.94 TO HUNTINGTON NATIONAL BANK; EMERGENCY (2017 BANK FEES) (FIN)
- 2<sup>ND</sup> RDG 14. ADOPT 2018 ANNUAL APPROP FOR CITY OF CANTON; EMERGENCY (GENERAL FUND BUDGET) (FIN)

**RETAINED IN**

- CMTE 15. AMEND CHAPTER 1123, DEFINITIONS OF TITLE FIVE AND AMEND CHAPTER 1141, R-4 MULTI-FAMILY RESIDENTIAL DISTRICT OF TITLE SEVEN OF CODIFIED ORDINANCES OF CITY OF CANTON  
**PUB HRG 4/9/18 @ 7:00 P.M.** (JUD)

- 2<sup>ND</sup> RDG 16. APPROVE AND ACCEPT REPLAT OF ALL OF OUTLOTS 1165, 1166 AND 1388; EMERGENCY (2304 - 2320 FAIRCREST ST SW, WARD 4, FOR SHAWNEE DEV AND PILOT TRAVEL CENTERS) (PS&T)

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

- 2<sup>ND</sup> RDG 17. APPROVE AND ACCEPT REPLAT OF PART OF LOT 37074 AND PART OF OUT LOTS 545, 850 AND 851; EMERGENCY (3112 CLEVELAND AVE NW, WARD 7, FOR DEVILLE DEV) (PS&T)
- 2<sup>ND</sup> RDG 18. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 1 AND FINAL IN AMT NOT TO EXCEED \$35,857.52 WITH CENTRAL ALLIED ENTERPRISES, INC. FOR ROADWAY BASE STABILIZATION PROJ, G.P. 1265; AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED TO PROJ; EMERGENCY (FIN & PPCI)
- 2<sup>ND</sup> RDG 19. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 1 IN AMT NOT TO EXCEED \$14,307.00 WITH SCHINDLER ELEVATOR CORP FOR CORNERSTONE PARKING DECK ELEVATOR REPAIR; AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED TO SAID PROJ; EMERGENCY (PPCI & FIN)
- 2<sup>ND</sup> RDG 20. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 5 IN AMT NOT TO EXCEED \$69,230.00 WITH ARCADIS US, INC. FOR CONSTRUCTION ENGINEERING RELATED TO PID 90671 - 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETScape PROJ - GP 1160; AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED TO SAID PROJ; EMERGENCY (PPCI & FIN)
- 2<sup>ND</sup> RDG 21. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 6 IN AMT NOT TO EXCEED \$154,549.83 WITH BEAVER EXCAVATING CO FOR PID 90671 - 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETScape PROJ - GP 1160; AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED TO SAID PROJ; EMERGENCY (PPCI & FIN)
- 2<sup>ND</sup> RDG 22. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO EASEMENT AGMT WITH EAST OHIO GAS CO D/B/A DOMINION ENERGY OHIO RELATED TO PLACEMENT OF 12" HIGH PRESSURE GAS LINE ACROSS REIFSNYDER PARK; EMERGENCY (E&PU)

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

- 51/2018 23. AUTHORIZE LAW DIRECTOR TO ENTER INTO SETTLEMENT AGMT WITH ARCADIS U.S., INC.; EMERGENCY (12<sup>TH</sup> ST NW BRIDGE REPLACEMENT & STREETScape PROJ)
- 52/2018 24. VACATE PORTION OF AUBURN PL NW; APPROVE AND ACCEPT REPLAT AND RENUMBERING PLAT OF ALL OF LOTS 13165 - 13174, 39834 - 39837 AND VACATED PORTION OF AUBURN PL NW; EMERGENCY (FR EAST RIGHT OF WAY OF DAWN CIR NW TO CLEVELAND AVE NW, FOR FOXY FEW LLC) **PUB HRG WAIVED (HOF)**
- 53/2018 25. AUTHORIZE AUDITOR TO PAY TWO MORAL OBS IN AMT NOT TO EXCEED \$20,929.21 TO ACCUMED GROUP; EMERGENCY
- 54/2018 26. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ANY AND ALL PROFESSIONAL SERVICES CONTRACTS NEEDED FOR DESIGN OF RENOVATION OF SEARS BLDG; EMERGENCY (UTILITY BILLING RELOCATION)
- 55/2018 27. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR THE PURCHASE OF APPROX SIXTEEN NETWORK SWITCHES; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; ENTER INTO ANY AND ALL PROFESSIONAL SERVICES CONTRACTS NEEDED FOR INSTALLATION OF SAID SWITCHES AND OTHER NETWORK REPAIRS; AND TO ENTER INTO COOP AGMT WITH STARK COUNTY FOR INSTALLATION OF SAID SWITCHES AND OTHER NETWORK REPAIRS; AMEND APPROP O#277/2017; EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 504010 INFORMATION TECHNOLOGY MANAGER - OTHER)
- 56/2018 28. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACT FOR GLENWOOD INTERMEDIATE SCHOOL DETENTION BASIN NO. 2 PROJ - GP 1271 AND TO ENTER INTO COOP AGMT WITH PLAIN LOCAL BOARD OF EDUCATION FOR DESIGN, CONSTRUCTION, AND LONG-TERM MAINTENANCE OF BASIN; AMEND APPROP O#277/2017; EMERGENCY (\$130,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 202050 GLENWOOD INTERMEDIATE SCHOOL DETENTION BASIN NO. 2 PROJECT - GP 1271 - OTHER)
- 57/2018 29. AUTHORIZE AND CONSENT TO REPLACEMENT OF SIGNS AND SUPPORTS ON US 30 FROM SR 43 TO TRUMP AVE WITHIN CORP LIMITS OF CITY; EMERGENCY (ODOT, STA-77/30-0.00/16.86 SIGN SYSTEM, PID 104986)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, March 19, 2018 in Council Caucus Room at 6:00 PM**

- 1) Annexation Committee
- 2) Personnel Committee
- 3) Environmental & Public Utilities Committee
- 4) Finance Committee
- 5) Judiciary Committee
- 6) Community & Economic Development Committee

**MISCELLANEOUS BUSINESS:** Member Smith moved that Council Rules 15B and 15H be waived so George Lancaster may finish his presentation. (*Voice vote: all in favor*) \*\* George Lancaster expressed concern that everyone should be aware and educated about the affects of diabetes in the City of Canton. He again mentioned that they are in conjunction and working with the American Diabetes Association and Mercy Medical Center, as well as the Hall of Fame to spread the awareness even more. He stated that 193,000 people under the age of 20 and 29 million Americans overall are affected by diabetes. When Charles Harris and Malik Hooker heard about the death of his nephew, Tyler Scott Lancaster, they became involved and collaborated with more NFL players to help spread the word about diabetes. He asked for Council's support with their endeavors, and stated that they would like to establish a Diabetes Clinic, possibly at the Southeast Community Center. He announced that there will be a free Diabetes Awareness Dinner on March 24<sup>th</sup> for all diabetic patients. If anyone has any questions, he will be happy to stay after the meeting to answer them. Member Smuckler stated that the reason he had to sustain a quadruple by-pass last year was because of diabetes. He encouraged everyone to read labels. Diabetes is a hidden killer, and he offered to help as much as possible. Member Morris stated that his daughter was a victim of juvenile diabetes, and he has the deepest sympathy for Mr. Lancaster and his family for what they've gone through. He would like to be actively involved in providing any resources they may need. Mr. Lancaster announced that they are starting two summer programs, a Diabetes Institute for Juniors and Seniors in high school and a Diabetes Kids Camp, which will begin on June 20<sup>th</sup> through June 29<sup>th</sup> at the Southeast Community Center. Member Minor Smith thanked Council for allowing Mr. Lancaster to speak. She advised that any property around 631 or 635 Alan Page Dr is owned and operated by Canton Somerset LP, and not SMHA. There are many multi-family developments throughout Canton that are subsidized housing that are not owned by SMHA. If anyone would like more information regarding property owners, or if there are issues or problems, she will be glad to address those.

**\*\* Note: Rather than waiving Rules 15B and 15H, a motion should have been made pursuant to Rule #18, Speaking, Other Persons, which states "...any person other than Council members and officials authorized in Rule #17 may speak before the council on any matter. The motion shall include a specified time limit."**

**QUOTE OF THE WEEK:** *"A light heart lives long, and remember, as you ramble through life, whatever be your goal; keep your eye upon the doughnut, and not upon the hole."* - Irish Proverbs

**ADJOURNMENT:** 7:43 P.M.