

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

MARCH 26, 2018

ROLL CALL: Eight Members Present

MOTION TO EXCUSE MEMBERS: Members Smith, Chester, Fisher and Mack Absent

INVOCATION: John Mariol, Ward 7 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#5 - O#9; Informal Resolutions #29 & #30 Retained in Committee; O#13 Postponed)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Pete DiGiacomo asked Council to put good thought into the AirBNB Ordinance and vote no. He stated that getting paid for grass cutting and tearing down vacant homes owned by people living out of town is already a problem, and this is much more involved. There are still flaws and cracks and if any of those happen, it can cause bad publicity for Hall of Fame week or the Firestone Open. Jonathan Lalewicz is concerned that the AirBNB's add another avenue to introduce rental units into neighborhoods. The residents of Market Heights are particularly concerned because they have successfully maintained their neighborhood, and rentals are something they are worried about. In Cleveland, they recently discovered a problem with enforcement of the AirBNB regulations. He asked Council to strongly consider the AirBNB issue and the affects it will have on the Canton neighborhoods. Andrew Reo also spoke about the AirBNB's in the residential neighborhoods. There is one on his street, and it's like having a hotel there with new renters regularly. He asked Council to consider the current zoning laws. AirBNB's are commercial and they should be moved out of the R-1 neighborhoods. President Schulman reminded Mr. Lalewicz and Mr. Reo that these Ordinances will be discussed on April 9, 2018.

INFORMAL RESOLUTIONS:

- | | | |
|-----|----------------------|---|
| 28. | PERSONNEL COMMITTEE: | CONFIRM APPT OF JOHN MARIOL TO SYSTEMS PLANNING BOARD COMMENCING 3/26/18 THRU COMPLETION OF HIS COUNCIL TERM. - ADOPTED |
| 29. | PERSONNEL COMMITTEE: | CONFIRM APPT OF HENRY RENFRO TO FAIR HOUSING COMMISSION COMMENCING 3/26/18 THRU 12/31/20. - RETAINED IN COMMITTEE |
| 30. | PERSONNEL COMMITTEE: | CONFIRM REAPPT OF JAMES REINHARD TO STARK AREA REGIONAL TRANSIT AUTHORITY (SARTA) BOARD COMMENCING 4/1/18 THRU 3/31/21. - RETAINED IN COMMITTEE |
| 31. | PERSONNEL COMMITTEE: | CONFIRM REAPPT OF CHET WARREN TO STARK AREA REGIONAL TRANSIT AUTHORITY (SARTA) BOARD COMMENCING 4/1/18 THRU 3/31/21. - ADOPTED |

COMMUNICATIONS:

- | | | |
|------|---------------------------|---|
| 148. | LAW DIRECTOR MARTUCCIO: | AMEND CANTON CODIFIED ORDINANCE SEC 903.07, VISION CLEARANCE OF SHRUBBERY. - JUDICIARY COMMITTEE |
| 149. | MAJORITY LEADER SMITH: | AUTHORIZE APPT OF JAMES BABCOCK TO INVESTMENT BOARD COMMENCING UPON COUNCIL APPROVAL AND EXPIRING UPON COMPLETION OF HIS TERM AS COUNCIL MEMBER. - PERSONNEL COMMITTEE |
| 150. | MAJORITY LEADER SMITH: | AUTHORIZE REAPPTS OF WILLIAM SHERER, II AND JOHN GIUA TO INCOME TAX REVIEW BOARD COMMENCING RETRO FROM 1/1/18 AND EXPIRING 12/31/19. - PERSONNEL COMMITTEE |
| 151. | MAYOR BERNABEI: | AUTHORIZE APPT OF RAY FETE TO COMMUNITY REINVESTMENT AREA HOUSING COUNCIL COMMENCING RETRO FROM 1/1/18 AND EXPIRING 12/31/19. - PERSONNEL COMMITTEE |
| 152. | MAYOR BERNABEI: | AUTHORIZE MAYOR AND/OR DEPUTY MAYOR TO CONTINUE CONTRACTUAL AGMT WITH CANTON COMMUNITY IMPROVEMENT CORP (CCIC) TO PROVIDE GRANT UTILIZING GENERAL FUND DOLLARS IN TOTAL AMT OF \$50,000 FOR GRANTS, LOANS AND ADMIN COSTS. - FINANCE COMMITTEE |
| 153. | SAFETY DIRECTOR PERRY: | APPROVE SHOTSPOTTER FLEX CONTRACT RENEWAL FOR ADDITIONAL ONE-YR TERM FR 5/30/18 THRU 5/29/19. - FINANCE COMMITTEE |
| 154. | SERVICE DIRECTOR HIGHMAN: | AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE FOR AM & CMOM PLAN DEVELOPMENT & IMPLEMENTATION PROJ; REQ \$1,213,250.00 SUPP APPROP FR UNAPROP BAL OF SEWER OPERATING FUND 5410 TO 5410 206320 AOC COMPLIANCE ORGANIZATION (OTHER); REQ \$35,550.00 APPROP TRF FR 4501 202001 ENGINEERING-ADMIN (OTHER) TO 4501 206320 AOC COMPLIANCE ORGANIZATION (OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES |

COMMUNICATIONS CONTINUED:

155. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR AVONDALE AREA PHASE II WATER MAIN REPLACEMENT PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES FOR SAID PROJ; AUTHORIZE CITY TO RECEIVE GRANT FUNDS IN AMT OF \$900,000.00 AND ZERO PERCENT INTEREST LOAN IN AMT OF \$600,000.00 FOR SAID PROJ FR OH PUBLIC WORKS COMMISSION; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE FUND 5236 FOR TRACING PROJ REVENUES AND EXPENDITURES AND APPROP TOTAL OH PUBLIC WORKS COMMISSION FUNDING AMT OF \$1,500,000.00 FR UNAPPROP BAL OF 5236 AVONDALE PHASE II WATER MAIN REPLACEMENT PROJ FUND TO 5236 207040 AVONDALE PHASE II WATER REPLACEMENT - OTHER; REQ \$700,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207040 AVONDALE PHASE II WATER MAIN REPLACEMENT - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
156. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR PURCHASE OF ONE (1) UTILITY TRACTOR FOR WATER DEPT; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR PURCHASE OF SAID TRACTOR IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY EITHER ORC OR CANTON CODIFIED ORDINANCES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
157. SERVICE DIRECTOR HIGHMAN: AUTHORIZE AND DIRECT AUDITOR TO PAY MORAL OBS IN AMT OF \$2,403.00 AND \$3,290.00 TO OH WATER DEVELOPMENT AUTHORITY (OWDA) FOR LOAN FEES RELATED TO CANTON SOUTH-CLEVELAND AVE (REGIONALIZATION) AND CANTON SOUTH (HUMAN HEALTH) WATERLINE EXTENSION PROJECTS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
158. WATER DEPT SUPT CONVERSE: ANNUAL REPORT FOR 2017. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE CANTON POLICE DEPT TO ACCEPT DONATION OF TRAFFIC CRASH TEAM RELATED EQUIPMENT VALUED AT \$111,542.31 FROM STATE OF OH DEPT OF PUBLIC SAFETY; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 2. AUTHORIZE MAYOR OR SERV DIR TO AMEND LEASE AGMT BETWEEN CITY OF CANTON AND CANTON COMMUNITY IMPROVEMENT CORP, APPROVE KUBOTA UTILITY EASEMENT OUTLINING ALL RIGHTS AND RESPONSIBILITIES, AND AMEND COOP AGMT BETWEEN CANTON AND KUBOTA MEMBRANE USA CORP APPROVING EASEMENT; EMERGENCY
Referred to Environmental & Public Utilities Committee
- 1ST RDG 3. AUTHORIZE APPROPRIATE OFFICIAL(S) TO: PURCHASE AND/OR LEASE VARIOUS TITLED VEHICLES; ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THOSE PURCHASES AND PROJECTS DESCRIBED IN EXHIBIT A THAT EXCEED ANY APPLICABLE DOLLAR AMT THRESHOLD(S); ALTERNATIVELY ENTER INTO CONTRACT FOR PURCHASES AND PROJECTS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; ENTER INTO PROFESSIONAL SERVICES CONTRACT FOR LINE OF CREDIT/LEASE IN ORDER TO PURCHASE SAID ITEMS; AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR NEW CITY WIDE PHONE SYSTEM UTILIZING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; SET THE BID/FORMAL PROCUREMENT THRESHOLD FOR ALL PURCHASES ON THE ATTACHED LIST AT THE ORC THRESHOLD OF \$50,000; AMEND APPROP O#64/2018; EMERGENCY (\$2,395,705.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO: 4501 102001 POLICE ADMIN - OTHER - \$269,520.00, 4501 103001 FIRE ADMIN - OTHER - \$547,500.00, 4501 103501 CENTRAL COMMUNICATION ADMIN - OTHER - \$18,000.00, 4501 202001 ENGINEERING - OTHER - \$555,000.00, 4501 204010 OTHER BUILDINGS - OTHER - \$262,000.00, 4501 301001 HEALTH ADMIN - OTHER - \$26,900.00, 4501 501101 HUMAN RESOURCES ADMIN - OTHER - \$11,000.00, 4501 504010 INFORMATION TECHNOLOGY - OTHER - \$685,585.00, 4501 753001 LAW ADMIN - OTHER - \$8,700.00, 4501 852001 TREASURER ADMIN - OTHER - \$11,500.00; \$228,000.00 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 103001 FIRE ADMIN - OTHER - \$70,000.00, 4502 202210 MAINTENANCE - OTHER - \$60,000.00, 4502 208010 SERVICE & REPAIR - OTHER - \$26,000.00, 4502 301001 HEALTH ADMIN - OTHER - \$50,000.00, 4502 701001 JUDGES ADMIN - OTHER - \$22,000.00; \$10,000.00 APPROP TRF FR 4501 202020 URBAN FORESTRY - OTHER TO 4501 202210 MAINTENANCE - OTHER; \$84,273.00 APPROP TRF FR 4501 201001 SERVICE DIRECTOR - OTHER TO 4501 202210 MAINTENANCE - OTHER - \$39,858.00, 4501 504010 INFORMATION TECHNOLOGY - OTHER - \$44,415.00)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 4. AMEND APPROP O#64/2018; EMERGENCY (\$56,000.00 APPROP TRF FR 6041 208010 MOTOR VEHICLE DEPT DMV - OTHER TO 6041 208010 MOTOR VEHICLE DEPT DMV - PERSONNEL)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#5 - O#9)

- 2ND RDG 5. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT WITH MULLIN & LONERGAN ASSOCIATES, INC. IN APPROX AMT OF \$21,600.00 FOR PREPARATION OF CITY OF CANTON 2019 - 2023 CONSOLIDATED PLAN; EMERGENCY (C&ED)
- 2ND RDG 6. AMEND APPROP O#277/2017; EMERGENCY (\$80,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 204010 OTHER BUILDINGS - OTHER - \$20,000.00, TO 1001 753020 LAW - NON OPERATIONAL - OTHER - \$60,000.00) (FIN)
- 2ND RDG 7. AMEND APPROP O#277/2017; EMERGENCY (\$810,000.00 SUPP APPROP FR UNAPPROP BAL OF 2314 FAMILY HEALTH FUND TO 2314 301001 FAMILY HEALTH - 700 - OTHER) (FIN)
- 2ND RDG 8. APPROVE RELOCATION OF DOMINION ENERGY GAS PIPELINE ON LAND OWNED BY CITY OF CANTON AND AUTHORIZE SERV DIR TO EFFECTUATE NECESSARY ACTS IN CONJUNCTION WITH PROJ; EMERGENCY (RT 62/HARRISBURG RD/30TH ST NE ROADWAY IMPROVEMENT PROJ, STA-62-24.90, PID 96346) (E&PU)
- 2ND RDG 9. APPROVE CANTON CITY WATER MAIN EXTENSION TO THE FOUNTAINS AT EDGEWOOD; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT WITH MCKINLEY EDGEWOOD DEVELOPMENT CO., LLC FOR EXTENSION OF WATER MAIN; EMERGENCY (E&PU)

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

- 72/2018 10. 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
- 73/2018 11. 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
- 74/2018 12. 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)

POSTPONED TO 4/9/18

13. AMEND CHAPTERS 185, TRANSIENT LODGING TAX AND 759, ROOMING HOUSES, LODGING HOUSES AND RESIDENTIAL SOCIAL SERVICE FACILITIES OF CANTON CODIFIED ORDINANCES
- 75/2018 14. 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
- 76/2018 15. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR TREE PLANTING PROJ, GP 1256 - PHASE 2; EMERGENCY
- 77/2018 16. 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 30TH ST, INCLUDING CONSTRUCTION OF ROUNDABOUT AT HARRISBURG AND 30TH 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)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, April 2, 2018 in Council Caucus Room at 6:15 PM

- 1) Personnel Committee
- 2) Public Property Capital Improvement Committee
- 3) Finance Committee
- 4) Judiciary Committee
- 5) Environmental & Public Utilities Committee

MISCELLANEOUS BUSINESS: President Schulman said that he hoped all Council Members who were not present will feel better and be with us next week. Prior to the motion to adjourn, Member Babcock wished everyone a Happy Easter.

QUOTE OF THE WEEK: "One of the lessons that I grew up with was to always stay true to yourself and never let what somebody else says distract you from your goals." - Michelle Obama

ADJOURNMENT: 7:25 P.M.