

FINAL
AGENDA
7:00 PM

CANTON CITY COUNCIL

JUNE 18, 2018

ROLL CALL: Ten Members Present

MOTION TO EXCUSE MEMBERS: President Schulman and Members Ferguson and Morris Absent

INVOCATION: John Mariol, Ward 7 Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem Smith

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#2 – O#3; 2nd Rdg O#4 – O#14; O#2 – O#3 Adopted on 1st Rdg; O#12 – O#14 Adopted on 2nd Rdg; O#23 Adopted as Amended)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): None

INFORMAL RESOLUTIONS:

43. MAJORITY LEADER SMITH: AUTHORIZE AND DIRECT SERV DIR TO PURCHASE FORD EXPLORER FROM LIBERTY FORD LINCOLN CANTON, LLC AT ESTIMATED COST OF \$27,772.40 FOR COLLECTION SYSTEMS DEPT. - ADOPTED

COMMUNICATIONS:

244. AUDITOR MALLONN: MTHLY RPT BY FUND FOR 5/1/18 THRU 5/31/18. – RECEIVED & FILED
245. AUDITOR MALLONN: YRLY RPT BY FUND FOR 1/1/18 THRU 5/31/18. – RECEIVED & FILED
246. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 5/31/18. – RECEIVED & FILED
247. FINANCE DIRECTOR CROUSE: ESTABLISH FUND 2170 NEIGHBORHOOD DEVELOPMENT AND FUND 2175 COMPREHENSIVE PLAN IMPLEMENTATION (ISSUE 13). – FINANCE COMMITTEE
248. DEPUTY MAYOR WILLIAMS: APPROVE AND EXTEND ECONOMIC GROWTH INITIATIVE (EGI) LEGISLATION TO 2023, INCLUDING AMENDMENTS. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
249. LAW DIRECTOR BATES AYLWARD: AUTHORIZE ATTY VIVIANNE WHALEN DUFFRIN TO RECEIVE 5 WKS VACATION PER YR, FIRST YR TO BE PRORATED AT 2 ½ WKS. – PERSONNEL COMMITTEE
250. MAYOR BERNABEI
MAJORITY LEADER SMITH
ASST MAJORITY LEADER BABCOCK: AMEND CLASSIFICATION PLAN FOR MANAGEMENT NON-BARGAINING UNIT PERSONNEL TO INCLUDE PUBLIC WORKS ASST SUPERINTENDENT, FUND 20-22-10, GRADE 3, FLSA CODE E, WITHIN PUBLIC WORKS DIVISION AS SHOWN IN EXH A; AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCHASE OF (1) ROLLER AND (1) ASPHALT HEATER/HOTBOX; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR PURCHASE OF SAID ITEMS IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY ORC OR CANTON CODIFIED ORDINANCES AND EXEMPTING SAID PURCHASES FROM INFORMAL RESOLUTION REQUIREMENT OF CANTON CODIFIED ORDINANCE 105.09 SHOULD PURCHASE PRICE FALL WITHIN REQUIRED THRESHOLD (ISSUE 13). – PERSONNEL AND FINANCE COMMITTEES
251. PARK DIRECTOR FOLTZ: AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR PURCHASE OF (2) TORO GROUNDSMASTER MOWERS; ALTERNATIVELY AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR PURCHASE OF SAID ITEMS IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY EITHER ORC OR CANTON CODIFIED ORDINANCES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; REQ \$110,000.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARKS OPERATING FUND TO 2530 401060 SPECIAL PARKS FUNDS – OTHER. – FINANCE AND PARKS & RECREATION COMMITTEES
252. PLANNING COMMISSION: REQ REPLAT OF LOTS 4911, 4912, 4913 AND PART OF LOT 4914 (PARCELS 233220 & 10010129), 632 DUEBER AVE SW IN WARD 5 FOR HABITAT FOR HUMANITY. – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
253. PLANNING COMMISSION: REQ REPLAT OF LOTS 298, 299 AND 300 AND DEDICATION OF PARTS OF SPRING AVE NE AND ORCHARD AVE NE BETWEEN 2ND ST & 3RD ST NE (PARCELS 219902, 221961, 219897, 207107, 231123, 223670, 221340, 219898, 238715, 231122, 219422, 238716, 240072, 280871, 280872, 280873, 284986 & 240093), 700 BLOCK OF 2ND ST NE IN WARD 2 FOR REFUGE OF HOPE. – PUBLIC SAFETY & THOROUGHFARES COMMITTEE

COMMUNICATIONS CONTINUED:

254. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR 44TH ST NE ANNEX (R-1C, SINGLE FAMILY RESIDENTIAL, WARD 8). – ANNEXATION COMMITTEE
255. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR 77 GULLIVERS - 2414 FAIRCREST ST SW ANNEX (B-4, SPECIAL BUSINESS, WARD 4). – ANNEXATION COMMITTEE
256. SAFETY DIRECTOR PERRY: RATIFY ALL ACTIONS TAKEN PRIOR TO PASSAGE OF ORDINANCE PURSUANT TO SEC 105.04 OF CANTON CODIFIED ORDINANCES ; AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO RESPOND TO EMERGENCY DEMO AT 2006 7TH ST NE; AUTHORIZE AND DIRECT AUDITOR TO PAY ANY AND ALL MORAL OBS RESULTING FROM SAID EMERGENCY. – FINANCE COMMITTEE
257. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR CORNERSTONE PARKING FACILITY PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROFESSIONAL SERVICES CONTRACT WITH MOTTER & MEADOWS ARCHITECTS FOR DESIGN AND CONSTRUCTION OVERSIGHT SERVICES IN AMT OF \$38,800.00; REQ \$251,611.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207003 WATER BILLING FUND – OTHER; \$171,553.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 207003 SEWER BILLING FUND – OTHER; \$148,679.00 APPROP TRF FR 5601 205001 REFUSE ADMIN – OTHER TO 5601 207003 SANITATION BILLING FUND – OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (RELOCATION OF UTILITY BILLING & COLLECTIONS DEPT). – PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
258. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT WITH BLACK MCCUSKEY SOUERS & ARBAUGH, LPA FOR LEGAL SERVICES RELATED TO HOFV IN AMT NOT TO EXCEED \$50,000.00; AUTHORIZE AND DIRECTOR AUDITOR TO PAY ANY ALL MORAL OBS RELATED TO SAID CONTRACT PRIOR TO FINALIZATION; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. – FINANCE COMMITTEE
259. SERVICE DIRECTOR HIGHMAN: AMEND CANTON CODIFIED ORDINANCE CHAPTER 917 – TREES. – JUDICIARY COMMITTEE
260. SERVICE DIRECTOR HIGHMAN: REQ INFORMAL RESOLUTION APPROVING PURCHASE OF FORD EXPLORER FR LIBERTY FORD FOR ESTIMATED COST OF \$27,772.40 TO REPLACE EXISTING 2006 FORD EXPLORER FOR COLLECTION SYSTEMS DEPT. – RECEIVED & FILED
261. SERVICE DIRECTOR HIGHMAN
COUNCILMAN FISHER (WARD 5): AMEND CANTON CODIFIED ORDINANCE CHAPTER 975, SOLID WASTE MANAGEMENT SYSTEM TO ADDRESS ISSUES RELATING TO LOCATION OF WASTE FOR PICKUP. – JUDICIARY COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. WITHDRAW CANTON'S OBJECTION TO TRF OF LIQUOR PERMIT LOCATED WITHIN CITY; EMERGENCY (DOLGEN MIDWEST LLC, DBA DOLLAR GENERAL STORE 17922, 915 TUSC ST W, C-1 PERMIT)
Referred to Judiciary Committee

(COUNCIL RECESSED AT 7:22 PM FOR THE FINANCE COMMITTEE TO DISCUSS O#2; RECONVENED AT 7:23 PM)

- 126/2018 2. AMEND APPROP O#64/2018; EMERGENCY (\$992,634.00 SUPP APPROP FR UNAPPROP BAL OF 2314 FAMILY HEALTH FUND TO 2314 301001 FAMILY HEALTH – 700 – OTHER; \$22,000.00 SUPP APPROP FR UNAPPROP BAL OF 2320 303002 NURSING CLINIC ACTIVITY – 600 - PERSONNEL)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:24 PM FOR THE PERSONNEL COMMITTEE TO DISCUSS O#3; RECONVENED AT 7:27 PM)

- 127/2018 3. AUTHORIZE HIRING OF MS. VIVIANNE WHALEN DUFFRIN WITH 2 ½ WKS VACATION IN 2018 AND 5 WKS VACATION FOR EACH YR THEREAFTER, UNTIL HER CITY ACCRUED TIME CORRELATES WITH APPLICABLE CITY VACATION SCHEDULE; EMERGENCY
Referred to Personnel Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#4 - O#14; O#12 – O#14 ADOPTED)

- 2ND RDG 4. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS HOF VILLAGE #5 ANNEXATION AREA CONTAINING APPROX 8.041 ACRES, ASSIGNING SAID TERRITORY TO WARD 7, ZONING SAID TERRITORY AS HALL OF FAME VILLAGE DISTRICT (HOFV); EMERGENCY (ANNEX)
PUB HRG 7/2/18 @ 7:00 PM
- 2ND RDG 5. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS ONE RICHMOND AVE ANNEXATION AREA CONTAINING APPROX 1.979 ACRES, ASSIGNING SAID TERRITORY TO WARD 6, ZONING SAID TERRITORY AS SINGLE FAMILY RESIDENTIAL DISTRICT (R-1A); EMERGENCY (ANNEX)
PUB HRG 7/2/18 @ 7:01 PM
- 2ND RDG 6. AMEND PART ELEVEN, PLANNING AND ZONING CODE OF CODIFIED ORDINANCES OF CITY OF CANTON
PUB HRG 7/2/18 @ 7:02 PM (JUD)
- 2ND RDG 7. AMEND APPROP O#64/2018; EMERGENCY (\$349,722.22 INTERFUND TRF FR 1001 GENERAL FUND TO 1154 HOF VILLAGE PROJECT FUND; \$31,162.22 SUPP APPROP FR UNAPPROP BAL OF 1154 HOF VILLAGE PROJECT FUND TO 1154 201001 SERVICE DIRECTOR ADMIN – OTHER) (HALL OF FAME VILLAGE PROJ) (FIN)
- 2ND RDG 8. AMEND APPROP O#64/2018, EMERGENCY (\$183,025.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARK OPERATING AND SPEC REV FUND TO 2530 401052 PARKS REC PROGRAMS – OTHER - \$69,000.00, TO 2530 401060 SPECIAL PARKS FUND – OTHER - \$29,025.00, TO 2530 401090 PARK REDEVELOPMENT – OTHER - \$85,000.00) (CANTON PARKS & REC DEPT RECEIPT OF FUNDS FR DISSOLVING CANTON JOINT REC DIST) (FIN)
- 2ND RDG 9. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER/CONTRACT AMENDMENT NO. 2 IN AMT NOT TO EXCEED \$21,168.00 WITH RT FOX LLC DBA CONNECTING POINT FOR 378 MICROSOFT HOSTED EXCHANGE AND GFI ARCHIVER LICENSES AND ALL APPLICABLE SUPPORT; AMEND APPROP O#64/2018; EMERGENCY (\$21,168.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 504010 INFORMATION TECHNOLOGY MANAGER – OTHER) (FIN)
- 2ND RDG 10. APPROVE CANTON CITY WATER MAIN EXTENSION TO PLAIN TWP; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT FOR EXTENSION OF WATER MAIN; EMERGENCY (WICKER CREEK HOLDING, LLC) (E&PU)
- 2ND RDG 11. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$26,472.00 TO HANNON ELECTRIC COMPANY; AMEND APPROP O#64/2018; EMERGENCY (\$26,472.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207012 PUMPING MAINTENANCE – OTHER) (FIN)
- 128/2018** 12. AMEND CHAPTER 182, MUNICIPAL INCOME TAX, OF CODIFIED ORD OF THE CITY OF CANTON; AMEND APPROP O#64/2018; EMERGENCY (JUD)
- 129/2018** 13. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF COMMUNITY DEVELOPMENT BLOCK GRANT (NO SINGLE AWARD TO EXCEED \$500,000.00), EMERGENCY SOLUTIONS GRANT (NO SINGLE AWARD TO EXCEED \$200,000.00), AND HOME INVESTMENT PARTNERSHIP PROG FUNDS (NO SINGLE AWARD TO EXCEED \$500,000.00); EMERGENCY (C&ED)
- 130/2018** 14. AUTHORIZE MAYOR TO FILE WITH HUD A 2018 ANNUAL ACTION PLAN FOR 2018 COMMUNITY DEVELOPMENT BLOCK GRANT, 2018 HOME INVESTMENT PARTNERSHIP, AND 2018 EMERGENCY SOLUTIONS GRANT PROGRAMS; RATIFY SUBMISSION AND FILING OF SAID PLAN; AUTHORIZE MAYOR TO EXECUTE GRANT AGMTS WITH HUD AND ACCEPT FUNDING FOR THE THREE PROGRAMS; EMERGENCY (C&ED)

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

- 131/2018** 15. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AGGREGTE PRINCIPAL AMT NOT TO EXCEED \$500,000.00 FOR PURPOSE OF PAYING COSTS OF REVITALIZATION WITHIN THE CITY AND ADDRESSING PROPERTY CONDITIONS THAT ARE DELETERIOUS TO PUBLIC HEALTH AND SAFETY THROUGH DEMO OF DETERIORATING STRUCTURES AND IMPROVEMENT OF THOSE SITES, THEREBY ENABLING USE OR REUSE OF LANDS WITHIN THE CITY
- 132/2018** 16. PROVIDE FOR ISSUANCE OF A 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 IN AMT OF ISSUANCE NOT TO EXCEED \$2,000,000.00; DECLARE NECESSITY OF ISSUANCE OF SAID NOTE PROCEEDS WHICH WILL BE USED FOR PAYOFF OF PREVIOUSLY EXISTING NOTE; EMERGENCY
- 133/2018** 17. AMEND APPROP O#64/2018, EMERGENCY (\$5,000.00 APPROP TRF FR 2799 701001 JUSTICE REINVESTMENT PRETRAIL GRANT FUND – PERSONNEL TO 2799 701001 JUSTICE REINVESTMENT PRETRIAL GRANT FUND – OTHER) (FOR CONTINUED OPERATION OF COURT)
- 134/2018** 18. AUTHORIZE DISSOLVING ROAD RESERVATIONS CURRENTLY PLACED ON TAX PARCELS 280871, 280872, 280873 AND 284986; AUTHORIZE MAYOR OR SERV DIR TO TRANSFER SAME, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO CANTON COMMUNITY IMPROVEMENT CORP FOR SUBSEQUENT TRANSFER TO REFUGE OF HOPE MINISTRIES; EMERGENCY

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

- 135/2018** 19. AUTHORIZE MAYOR OR SERV DIR TO NEGOTIATE AND EXECUTE EASEMENT OVER TAX PARCEL 280840 TO STINGRAY VENTURES LLC THAT WILL HAVE NO FORCE AND EFFECT UNLESS SURROUNDING PROPERTIES ARE EFFECTIVELY ACQUIRED BY STINGRAY VENTURES, LLC; EMERGENCY
- 136/2018** 20. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT AMENDMENTS WITH STARK COUNTY COMMUNITY ACTION AGENCY FOR \$50,000.00 FOR ENRICHMENT & ACADEMIC MENTORING AND \$30,000.00 FOR EMPLOYMENT READINESS TRAINING; EMERGENCY
- 137/2018** 21. AUTHORIZE HIRING OF MR. JAMES BENEKOS AT SALARY OF \$88,888.00 ANNUALLY WITH 10 DAYS VACATION IN 2018 AND 15 DAYS VACATION FOR EACH YR THEREAFTER, UNTIL HIS CITY ACCRUED TIME CORRELATES WITH APPLICABLE CITY VACATION SCHEDULE; EMERGENCY (WATER DEPT FACILITIES ENGINEER)
- 138/2018** 22. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD, EXECUTE CONSTRUCTION CONTRACT AND ENTER INTO AGMT(S) FOR AND TO RECEIVE GRANT FUNDS IN AMT OF \$890,064.00 AND LOAN FUNDS IN AMT OF \$509,566.00 FROM OHIO PUBLIC WORKS COMMISSION FOR 47TH ST NW STORM SEWER REPAIR PROJ, GP 1241 & GP 1198; AUTHORIZE AUDITOR TO CREATE 4585 47TH ST NW/PACKARD AVE NW 78-IN STORM SEWER REPAIR PROJ, GP 1198 AND 4586 47TH ST NW STORM SEWER REPAIR PROJ, GP 1241 FUNDS; AMEND APPROP O#64/2018; EMERGENCY (\$896,770.00 SUPP APPROP FR UNAPPROP BAL OF 4585 47TH ST NW/PACKARD AVE NW 78-IN STORM SEWER REPAIR PROJ, GP 1198 FUND TO 4585 202052 47TH ST NW/PACKARD AVE NW 78-IN STORM SEWER REPAIR PROJ, GP 1198 – OTHER, \$502,860.00 SUPP APPROP FR UNAPPROP BAL OF 4586 47TH ST NW STORM SEWER REPAIR PROJ, GP 1241 FUND TO 4586 202053 47TH ST NW STORM SEWER REPAIR PROJ, GP 1241 – OTHER)

AMENDED

- 139/2018** 23. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT WITH EAST OHIO GAS CO DBA DOMINION ENERGY OHIO FOR RELOCATION OF EXISTING LINES; AMEND APPROP O#64/2018; EMERGENCY (\$380,771.00 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PROJ, GP 1103 FUND TO 4566 202079 MAHONING RD CORRIDOR PROJ, GP 1103 – OTHER)
- 140/2018** 24. DECLARE CERTAIN PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZE ITS BID FOR SALE; EMERGENCY (STEAM LOCOMOTIVE AND TENDER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, July 2, 2018 in Council Caucus Room at 6:30 PM
Judiciary Committee

MISCELLANEOUS BUSINESS: None

QUOTE OF THE WEEK: *"Always remember that you are absolutely unique. Just like everyone else."* – Margaret Mead

ADJOURNMENT: 7:45 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JULY 2, 2018 @ 7:00 PM