

**FINAL**  
**AGENDA**  
7:00 PM

CANTON CITY COUNCIL

JULY 30, 2018

**ROLL CALL:** Eleven Members Present

**MOTION TO EXCUSE MEMBERS:** President Schulman and Member Ferguson Absent

**INVOCATION:** Chris Smith, Ward 4 Council Member

**PLEDGE OF ALLEGIANCE:** President Pro Tem Smith

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>st</sup> Rdg O#3 & O#4; 2<sup>nd</sup> Rdg O#5 - O#11; O# 3 & O#4 Adopted on 1<sup>st</sup> Rdg; O#11 Adopted on 2<sup>nd</sup> Rdg)

**PUBLIC HEARINGS:**

7:00 PM AN ORDINANCE AUTHORIZING CANTON TO ANNEX TERRITORY KNOWN AS THE 44<sup>TH</sup> ST. NE ANNEXATION AREA CONTAINING APPROX 1.896 ACRES, ASSIGNING SAID TERRITORY TO WARD 8, ZONING SAID TERRITORY AS R-1C (SINGLE FAMILY RESIDENTIAL); EMERGENCY (NO SPEAKERS) **SEE O#161/2018**

7:01 PM AN ORDINANCE AUTHORIZING CANTON TO ANNEX TERRITORY KNOWN AS THE 77 GULLIVERS – 2414 FAIRCREST ST SW ANNEXATION AREA CONTAINING APPROX 3.3642 ACRES, ASSIGNING SAID TERRITORY TO WARD 4, ZONING SAID TERRITORY AS B-4 (SPECIAL BUSINESS); EMERGENCY (NO SPEAKERS) **SEE O#162/2018**

**OLD BUSINESS (PUBLIC SPEAKS):** Reviewed Pending Issues from Public Speaks

**PUBLIC SPEAKS (CITY BUSINESS):** Roberta Covington believes the removal of the 3<sup>rd</sup> St. Bridge will bring about more negative complaints about the community where she lives. She voted for Issue 13 and asked if any of that money would be used in her community. She said the bridge should be repaired because the community needs continuous traffic for the safety of the children and pedestrians and wondered what message this sends to the businesses in her area because it would limit the traffic to Route 30. Pete DiGiacomo thinks the \$5.5 mil designated for the Kresge Lot is too much, and that some should be used on other projects within the city. Sue March, who represented the Canton Garden Center and the Children's Garden, invited everyone to the Ribbon Cutting and to view the New Interactive Experience at the Canton Garden Center on Tuesday, August 14, 2018 at noon. Bruce Schorsten spoke on behalf of the city landlords regarding the additional \$100.00 they will be charged to remove "set out" items/trash that tenants leave after a court ordered eviction, if the items aren't removed within 48 hours. He feels they are already paying a premium on city services and shouldn't be charged the additional fee. He also thinks this will keep landlords from purchasing additional properties within the city. James Riehl said he had already spoken with his Councilman, but wanted to inform everyone that there is a garage on Rowland Ave. that burned down in May but still hasn't been removed by the city. He said the children are playing in the burned remnants and it isn't safe and it's a nuisance.

**INFORMAL RESOLUTIONS:** None

**COMMUNICATIONS:**

292. COUNCIL MEMBER HAWK, WARD 1: AUTHORIZE LEGISLATION TO FORMULATE REGULATIONS TO RESTRICT LOCATION OF STORES THAT SELL PACKAGED AND SINGLE CANS/BOTTLES OF BEER, WINE, OR LIQUOR; EMERGENCY. - JUDICIARY COMMITTEE
293. DEPT OF COMMERCE (OHIO): RENEWAL PERMIT APP #7576907, CLASS D-2-2X-3-3A FOR RUBY MANAGEMENT, LLC DBA RUBY SALOON @ 2548 WINFIELD WAY NE DENIED AND REJECTED. – RECEIVED & FILED
294. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO JOINT ECONOMIC DEVELOPMENT DISTRICT AGMT (JEDD) WITH JACKSON TOWNSHIP AND COMDOC/GLOBAL IMAGING SOLUTIONS, INC (NEW OFFICE AND DISTRIBUTION CENTER FOR 250 EMPLOYEES FOR COMDOC). – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
295. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO JOB CREATION AGMT WITH COMDOC/GLOBAL IMAGING SOLUTIONS, INC. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
296. FINANCE DIRECTOR CROUSE: AMEND APPROP O#64/2018; EMERGENCY (\$15,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 901001 CIVIL SERVICE – OTHER) (ADVERTISING & TESTING FOR POSITIONS IN STREET, POLICE, AND FIRE DEPTS). – FINANCE COMMITTEE
297. FINANCE DIRECTOR CROUSE: AMEND APPROP O#64/2018; EMERGENCY (\$2,316,085.30 APPROP TRF FR 5410 206057 OWDA WRF PHOSP PROJ MEMB (6556) – OTHER TO 5410 206058 OWDA WRF PHOSP PROJ (CONSTR) – OTHER (DEBT PAYMENTS TO WRF). – FINANCE COMMITTEE
298. FINANCE DIRECTOR CROUSE: AMEND APPROP O#64/2018; EMERGENCY (\$250,000.00 SUPP APPROP FR UNAPPROP BAL OF 2815 FEMA SAFER GRANT 2015 FUND TO 2815 103001 FIRE ADMIN – OTHER (FEMA GRANT FOR SALARIES & BENFITS OF 8 FIREFIGHTERS). – FINANCE COMMITTEE
299. LIQUOR CONTROL DIV (OHIO): REQ NEW C2 PERMIT FOR DOLGEN MIDWEST LLC DBA DOLLAR GENERAL STORE 17922 @ 915 TUSCARAWAS ST. W. – RECEIVED & FILED
300. LIQUOR CONTROL DIV (OHIO): REQ TRAN OF D2 D2X D3 D3A PERMIT FROM FREEWAY TAVERN INC TO FLANAGANS PUB OF CANTON LLC @ 1316 NAVARRE RD SW. - RECEIVED & FILED

**COMMUNICATIONS CONTINUED:**

301. MAYOR BERNABEI: AUTHORIZE APPT OF JOHN C. RUSS TO CANTON BD OF BLDG APPEALS COMMENCING 8/13/18 – 12/31/19. – PERSONNEL COMMITTEE
302. MAYOR BERNABEI, MAJORITY LEADER SMITH, ASST. MAJ. LEADER BABCOCK: AUTHORIZE MAYOR AND/OR SERV DIR TO UTILIZE APPROX \$250,000.00 OF NEIGHBORHOOD FUNDS FOR PURPOSE OF ADDING ADDT'L RESIDENTIAL STREETS TO PHASE III OF 2018 PAVING PROG BID; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – PUBLIC SAFETY & THOROUGHFARES AND FINANCE COMMITTEES
303. MAYOR BERNABEI: LTR ADVISING COUNCIL OF PROPOSAL TO RELOCATE CANTON DISPATCH CENTER FROM CIRELLI BLDG TO POLICE DEPT FLOOR IN CITY HALL; ADVISING OF REQUESTED FUNDS FR COMMISSIONERS FR AVAILABLE 911 FUNDS FOR RENOVATIONS AND RELOCATION OF EQUIPMENT AND TECHNOLOGY. – RECEIVED & FILED
304. PLANNING COMMISSION: REQ ZONE CHG OF FAIRCREST STREET (PARCEL #8300025 AND PARCEL #8300004), WARD 4 FROM B-3 GENERAL BUSINESS TO PI-1 LIGHT INDUSTRIAL (OHIO POWER CO). – PLANNING COMMISSION
305. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCH OF TWO ADDT'L (2) HEART MONITORS UTILIZING ANY PROCUREMENT PROCESS ALLOWED BY EITHER ORC OR CANTON COD ORD; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE COMMITTEE
306. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO EXTEND WATER MAIN TO LEXINGTON FARMS NORTH, LTD NO. 4, NO. 5 AND ANY UNNAMED PHASES LOCATED IN PLAIN TOWNSHIP; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL AGMTS INCLUDING EASEMENT AGMTS NECESSARY FOR WATER MAIN EXTENSION; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
307. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO FINAL AGMT/SETTLEMENT FOR PARCEL 40-WD, U, T WITH ARCHLAND PROPERTY I, LLC IN AMT OF \$109,367.00; RETROACTIVELY AUTHORIZE ANY ACTIONS TAKEN PRIOR TO FINALIZATION OF SETTLEMENT TO FACILITATE PROJ AND AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS; MAKE \$73,532.78 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PROJ GP 1103 FUND TO 4566 202079 MAHONING ROAD CORRIDOR PROJECT; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
308. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER #1 AND FINAL WITH AT&T FOR PROJ IN AMT OF \$59,693.03; RETROACTIVELY AUTHORIZE ANY ACTIONS TAKEN PRIOR TO FINALIZATION OF CHANGE ORDER TO FACILITATE PROJ AND AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE COMMITTEE
309. SERVICE DIRECTOR HIGHMAN: ACKNOWLEDGE RECEIPT AND APPROVE STARK-TUSC-WAYNE JOINT SOLID WASTE MGMT DISTRICT SOLID WASTE MGT PLAN; EMERGENCY. – ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
310. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF JUNE 29, 2018. - RECEIVED & FILED
311. TREASURER PEREZ: RPT OF AMBULANCE LOCK BOX ACCT FOR JUNE, 2018. – RECEIVED & FILED
312. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR JUNE, 2018. – RECEIVED & FILED.

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

- 1<sup>ST</sup> RDG 1. AMEND APPROP O#64/2018; EMERGENCY (\$14,478.00 SUPP APPROP FR UNAPPROP BAL OF 1152 NIP ACQUISITION DEMO DEBT FUND TO 1152 101501 CODE ENFORCEMENT – OTHER)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT WITH GOVERNMENTJOBS.COM, INC. DBA NEOGOV; EMERGENCY (COMPREHENSIVE HUMAN RESOURCES MGMT SYSTEM AND SUPPORT)  
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:****(COUNCIL RECESSED AT 7:23 PM FOR THE JUDICIARY COMMITTEE TO DISCUSS O#3; RECONVENED AT 7:27 PM)**

- 156/2018** 3. ADOPT AND IMPLEMENT CHAPTER 962 SMALL CELL FACILITIES AND WIRELESS SUPPORT STRUCTURES; EMERGENCY (HOUSE BILL 478, EFFECTIVE 8/1/18)  
Referred to Judiciary Committee

**(COUNCIL RECESSED AT 7:27 PM FOR THE PUBLIC SAFETY & THOROUGHFARES AND FINANCE COMMITTEES TO DISCUSS O#4; RECONVENED AT 7:28 PM)**

- 157/2018** 4. AUTHORIZE MAYOR AND/OR SERV DIR TO UTILIZE APPROX \$250,000.00 OF NEIGHBORHOOD FUNDS FOR PURPOSE OF ADDING ADDT'L RESIDENTIAL STREETS TO PHASE III OF 2018 PAVING PROG BID; EMERGENCY  
Referred to Public Safety & Thoroughfares and Finance Committees

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#5 – O#11; O#11 ADOPTED)**

- 2<sup>ND</sup> RDG 5. ADOPT AMENDMENTS TO ECONOMIC GROWTH INITIATIVE REGULATIONS; EMERGENCY (C&E) (C&E)
- 2<sup>ND</sup> RDG 6. ADOPT CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING 12/31/19; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 7. AMEND APPROP O#64/2018; EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 6017 HEALTH & LIFE INSURANCE FUND TO 6017 201001 SERVICE DIRECTOR ADMIN – PERSONNEL) (FIN)
- 2<sup>ND</sup> RDG 8. AMEND APPROP O#64/2018; EMERGENCY (\$400,000.00 SUPP APPROP FR UNAPPROP BAL OF 2190 HOFV FUND TO 2190 861101 HOFV-TOURISM DEVELOP DISTRICT – OTHER) (FIN)
- 2<sup>ND</sup> RDG 9. AUTHORIZE MAYOR OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCHASE OF TABLETS AND RELATED WARRANTIES AND ACCESSORIES FOR POLICE DEPT; OR TO ALTERNATIVELY ENTER INTO CONTRACT FOR SAID PURCHASES PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO CREATE 2790 2017-DJ-BX-0135 EDWARD BYRNE MEMORIAL GRANT FUND; AMEND APPROP O#64/2018; EMERGENCY (\$37,296.00 SUPP APPROP FR UNAPPROP BAL OF 2790 2017-DJ-BX-0135 EDWARD BYRNE MEMORIAL GRANT FUND TO 2790 102001 POLICE ADMIN – OTHER) (FIN)
- 2<sup>ND</sup> RDG 10. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF (1) COMBINATION SEWER CLEANER; OR TO ALTERNATIVELY PURCHASE SAID EQUIP PURSUANT TO ANY COOP PURCHASING AGMTS AUTHORIZED BY LAW; EMERGENCY (COLLECTION SYSTEMS DEPT) (FIN)
- 158/2018** 11. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ANY AND ALL CONSTRUCTION CONTRACTS AND ANY AND ALL PROFESSIONAL SERVICES CONTRACTS NEEDED FOR COMPLETION OF PHASES I AND II OF MARKET SQUARE PROJ; EMERGENCY (FIN)

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

- 159/2018** 12. APPROVE AND ACCEPT REPLAT OF ALL OF LOTS 4911, 4912, 4913 AND PART OF LOT 4914; EMERGENCY (HABITAT FOR HUMANITY)
- 160/2018** 13. APPROVE AND ACCEPT REPLAT OF ALL OF LOTS 298, 299, AND 300 AND DEDICATION OF PARTS OF SPRING AVENUE NE AND ORCHARD AVE NE; EMERGENCY (REFUGE OF HOPE)
- 161/2018** 14. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS 44<sup>TH</sup> ST. NE ANNEXATION AREA CONTAINING APPROX 1.896 ACRES, ASSIGNING TERRITORY TO WARD 8, ZONING TERRITORY AS R-1C (SINGLE FAMILY RESIDENTIAL); EMERGENCY **PUB HRG 7/30/18 @ 7:00 PM**
- 162/2018** 15. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS 77 GULLIVERS – 2414 FAIRCREST ST. SW ANNEXATION AREA CONTAINING APPROX 3.3642 ACRES, ASSIGNING TERRITORY TO WARD 4, ZONING TERRITORY AS B-4 (SPECIAL BUSINESS); EMERGENCY **PUB HRG 7/30/18 @ 7:01 PM**
- 163/2018** 16. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE CONSTRUCTION CONTRACT AND EXECUTE PROF SERVS CONTRACT WITH MOTTER & MEADOWS ARCHITECTS IN AMT NOT TO EXCEED \$38,800.00 FOR DESIGN AND CONSTRUCTION OVERSIGHT SERVS FOR RENOVATION TO CORNERSTONE PARKING FACILITY FOR RELOCATION OF CITY'S UTILITY BILLING AND COLLECTIONS DEPT; AMENDING APPROP O#64/2018; EMERGENCY (\$251,611.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207003 WATER BILLING – OTHER; \$171,553.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 207003 SEWER BILLING – OTHER; \$148,679.00 APPROP TRF FR 5601 205001 REFUSE ADMIN – OTHER TO 5601 207003 SANITATION BILLING FUND – OTHER)
- 164/2018** 17. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT WITH BLACK MCCUSKEY SOUERS & ARBAUGH, LPA IN AN AMT NOT TO EXCEED \$50,000.00 FOR LEGAL SERVS RELATED TO HOF VILLAGE; EMERGENCY
- 165/2018** 18. AMEND VARIOUS SECTIONS OF CHAPTER 917, TREES, PART NINE, TITLE ONE OF THE CODIFIED ORDINANCES OF CITY OF CANTON

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

- 166/2018** 19. AMEND SECTION 975.07, LOCATION OF WASTE FOR PICKUP AND SECTION 975.99, PENALTY OF CHAPTER 975, SOLID WASTE MANAGEMENT SYSTEM, OF PART NINE, TITLE FIVE OF CODIFIED ORD OF CITY OF CANTON

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, August 13, 2018 in Council Caucus Room at 6:15 PM**

- 1) Community & Economic Development Committee
- 2) Personnel Committee
- 3) Finance Committee

**MISCELLANEOUS BUSINESS:** Majority Leader Smith wished Council Member Mariol a happy birthday!

**QUOTE OF THE WEEK:** *"There's only two things you can start without a plan: a riot and a family, for everything else you need a plan."* – Groucho Marx

**ADJOURNMENT:** 7:55 PM

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 13, 2018 @ 7:00 PM**