

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

CANTON CITY COUNCIL

SEPTEMBER 10, 2018

**ROLL CALL:** Eleven Members Present

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

**MOMENT OF SILENCE FOR 9-1-1 VICTIMS**

**INVOCATION:** Greg Hawk, Ward 1 Council Member

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

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#12 - O#14)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Pete DiGiacomo is concerned about dogs running off leash. He said there is no leash law in Canton and that is why the City gets sued regularly when someone gets bit. A leash law would hold the owners responsible and help protect the citizens of Canton. Roberta Covington spoke about the 3<sup>rd</sup> Street SE bridge. She is concerned about information given at the meeting at the Engineer's Office. There is no guarantee of upgrades at Lee's Park, and 3<sup>rd</sup> Street bridge services will be reduced to save money. DH Kaiser Company trucks use the 3<sup>rd</sup> Street bridge and then go to 4<sup>th</sup> Street to facilitate the business. Reducing the bridge to pedestrian only would hamper business. The 3<sup>rd</sup> Street bridge should be open to all traffic because of the Tusc and 3<sup>rd</sup> Street Corridors. She feels that reducing services to this area to save money is small minded and lacks vision for the future of Canton.

**INFORMAL RESOLUTIONS:**

51. COUNCIL-AS-A-WHOLE: OPPOSE HOUSE BILL 228 (STAND YOUR GROUND LAW). - ADOPTED
52. MAJORITY LEADER SMITH: AUTHORIZE AND DIRECT SERV DIR TO ENTER INTO PURCH ORDER IN AMT NOT TO EXCEED \$47,788.20 WITH XYLEM PUMPS AND RENTAL SALES, INC. FOR MOBILE BYPASS PUMP FOR COLLECTION SYSTEMS DEPT. - ADOPTED

**COMMUNICATIONS:**

343. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 8/30/18. - RECEIVED & FILED
344. AUDITOR MALLONN: MTHLY RPT BY FUND FOR 8/1/18 THRU 8/31/18. - RECEIVED & FILED
345. AUDITOR MALLONN: YRLY RPT BY FUND FOR 1/1/18 THRU 8/31/18. - RECEIVED & FILED
346. AUDITOR MALLONN: REQ RE-ISSUE AND SALE OF REVITALIZATION ANTICIPATORY NOTE IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$2,000,000.00 (REVITALIZATION, DEMOLITION). - FINANCE COMMITTEE
347. COUNCIL-AT-LARGE SMUCKLER  
COUNCIL-AT-LARGE BABCOCK  
COUNCIL MBR HAWK, WARD 1  
COUNCIL MBR SCAGLIONE, WARD 3  
COUNCIL MBR CHESTER, WARD 2  
COUNCIL MBR FISHER, WARD 5  
COUNCIL MBR MARIOL, WARD 7  
COUNCIL MBR FERGUSON, WARD 8  
COUNCIL MBR MORRIS, WARD 9: ESTABLISH HOUSING GRANT PROG TO PROVIDE CITY GRANTS TO HOMEOWNERS FOR EXTERIOR PROPERTY IMPROVEMENTS; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH COMMUNITY BUILDING PARTNERSHIP OF STARK CTY, INC. IN AMT NOT TO EXCEED \$200,000 TO ADMINISTER PROG; AUTHORIZE AUDITOR TO DRAW WARRANTS FROM ISSUE 13 NEIGHBORHOOD FUND. - FINANCE COMMITTEE
348. COURT ADMIN KOCHERA: REQ \$80,000.00 SUPP APPROP FR UNAPPROP BAL OF #2797-701001 SPECIALIZED DOCKET GRANT FUND TO PERSONNEL #2797-701001 SPECIALIZED DOCKET GRANT FUND. - FINANCE COMMITTEE
349. DEPUTY MAYOR WILLIAMS: AMEND CURRENT JEDD AGMT, TAX SHARING AGMT, AND JOB CREATION AGMT WITH STOLLE MACHINERY AND JACKSON TWP TO INCREASE TAX RATE IN JEDD FR 2.0% TO 2.5% RETRO TO 7/1/18, ELIMINATE BASELINE PAYROLL FIGURE OF APPROX \$2.1 MILLION AND CALCULATE PAYMENT ON ALL JOBS AT JACKSON TWP LOCATION RETRO TO JOB CREATION AGMT EXECUTED 12/27/17, AND EXTEND JOB CREATION AGMT FR 10 YRS TO 13 YRS EXPIRING 2030. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
350. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO TRF PERMANENT PARCEL NOS 217756, 234936, 283669 & 283671 AT 1000 BLOCK OF TUSCARAWAS ST W TO CCIC FOR TRF TO MARK & DEBRA ARMSTRONG, DBA BAUM PLUMBING. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
351. FINANCE DIRECTOR CROUSE: REQ \$75,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 852002 TREASURER GROWTH INIT SETTLEMENT - OTHER. - FINANCE COMMITTEE

**COMMUNICATIONS CONTINUED:**

352. FINANCE DIRECTOR CROUSE: REQ \$130,000.00 APPROP TRF FR 1001 501001 MAYOR ADMIN - OTHER TO 1001 103001 FIRE ADMIN - OTHER FOR \$100,000.00 AND TO 1001 102001 POLICE ADMIN - OTHER FOR \$30,000.00. - FINANCE COMMITTEE
353. LIQUOR CONTROL DIV (OHIO): REQ TRF OF D1, D3 PERMIT FROM KAB 1 LLC, DBA IRISH EXCHANGE TO BS BIG HOUSE LLC, DBA IRISH EXCHANGE @ 3824 W TUSCARAWAS ST (WARD 3). - RECEIVED & FILED
354. LAW DIRECTOR BATES AYLWARD: AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT OF \$4,950.29 TO WALTER H. DRANE CO FOR EXPENSES INCURRED IN PRINTING OF CODIFIED ORDINANCE SUPPLEMENTS. - FINANCE COMMITTEE
355. LAW DIRECTOR BATES AYLWARD: APPROVE EDITING AND INCLUSION OF CERTAIN ORDINANCES ADOPTED FR 11/27/17 TO 6/18/18 TO BE INCORPORATED INTO CANTON CODIFIED ORDINANCES; REQ AUTHORIZATION TO DISTRIBUTE, FREE OF CHARGE, TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS, COPIES OF 2017-2018 CANTON CITY CODE SUPPLEMENT AND AFFIX PRICE OF \$9.40 FOR SALE OF SAME TO HOLDERS OF CITY CODE. - JUDICIARY COMMITTEE
356. MAYOR BERNABEI  
DEPUTY MAYOR WILLIAMS  
COUNCIL PRES SCHULMAN  
MAJORITY LDR SMITH  
ASST MAJORITY LDR BABCOCK  
COUNCIL-AT-LARGE MINOR SMITH  
COUNCIL-AT-LARGE SMUCKLER  
COUNCIL MBR HAWK, WARD 1  
COUNCIL MBR CHESTER, WARD 2  
COUNCIL MBR SCAGLIONE, WARD 3  
COUNCIL MBR FISHER, WARD 5  
COUNCIL MBR HALL, WARD 6  
COUNCIL MBR MARIOL, WARD 7  
COUNCIL MBR FERGUSON, WARD 8: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMTS WITH CANTON COMMUNITY IMPROVEMENT CORP IN AMT OF \$75,000.00 PER YR FOR 3 YR PERIOD COMMENCING APPROX 10/1/18 TO PROVIDE FUNDING FOR OPERATIONS OF INNOVATION DISTRICT; AMEND O#120/2017 TO PROVIDE AUTHORIZATION TO MAYOR AND/OR SERV DIR TO ENTER INTO COOP AGMTS AND REDEVELOPMENT CHARGE AGMTS (RE: TIF PAYMENTS AND CHARGES); AMEND O#228/2017 TO CHANGE COMPOSITION OF DOWNTOWN REDEVELOPMENT/INNOVATION DISTRICT BD TO MAKE IT ADVISORY BD. - FINANCE AND DOWNTOWN DEVELOPMENT COMMITTEES
357. SERVICE DIRECTOR HIGHMAN: REQ INFORMAL RESOLUTION APPROVING PURCH ORDER IN AMT OF \$47,788.20 FOR MOBILE BYPASS PUMP FOR COLLECTION SYSTEMS DEPT (XYLEM PUMPS AND RENTAL SALES, INC.). - RECEIVED & FILED
358. SERVICE DIRECTOR HIGHMAN: REQ \$30,890.27 APPROP FR UNAPPROP BAL OF 5232 AVONDALE AREA PH 1 WTR MN REO PR TO 5232 AVONDALE AREA PH 1 WTR MN REO PROG - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
359. SERVICE DIRECTOR HIGHMAN: AUTHORIZE AUDITOR TO PAY MORAL OB TO CONSTELLATION NEW ENERGY, INC. IN AMT NOT TO EXCEED \$26,221.01; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

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

- 1<sup>ST</sup> RDG 1. AMEND APPROP O#64/2018; EMERGENCY (\$35,000.00 SUPP APPROP FR UNAPPROP BAL OF 2762 701001 INDIGENT TREATMENT FUND TO 2762 701001 INDIGENT TREATMENT - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 2. AMEND APPROP O#64/2018; EMERGENCY (\$2,528,200.00 SUPP APPROP FR UNAPPROP BAL OF 2211 COMMUNITY DEVELOPMENT FUND TO 2211 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$601,505.00 SUPP APPROP FR UNAPPROP BAL OF 2214 HOME FUND TO 2214 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$81,006.00 SUPP APPROP FR UNAPPROP BAL OF 2219 EMERGENCY SHELTER GRANT FUND TO 2219 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER)  
Referred to Community & Economic Development and Finance Committees
- 1<sup>ST</sup> RDG 3. AMEND APPROP O#64/2018; EMERGENCY (\$59,000.00 SUPP APPROP FR UNAPPROP BAL OF 2415 GUARDRAIL/ATTENUATOR REPLACEMENT FUND TO 2415 202210 MAINTENANCE - OTHER FOR \$15,000.00 AND TO 2415 753001 LAW - OTHER FOR \$44,000.00)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 4. AUTHORIZE AUDITOR TO PAY TWO MORAL OBS IN AMTS NOT TO EXCEED \$74,000.00 TO CENTURY EQUIPMENT, INC. AND \$8,000.00 TO CANTON BALLET; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. APPROVE AND ACCEPT REPLAT OF PART OF LOTS 8847 AN 8848; EMERGENCY (JEFF BARBER, 1003 12<sup>TH</sup> ST NW, WARD 1)  
Referred to Public Safety & Thoroughfares Committee

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

- 1<sup>ST</sup> RDG 6. APPROVE AND ACCEPT REPLAT OF LOT 25235 AND PART OF OUT LOT 524; EMERGENCY MICHAEL GAMBONE, 1215 HOMEDALE AVE NW, WARD 1)  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 7. VACATE PORTION OF OLIVE PL NE AND TWO UNNAMED 10' ALLEYS; EMERGENCY (RON SPENCER, FERROUS PROCESSING & TRADING CO FPT CANTON LAND LLC, WARD 9)  
Referred to Public Safety & Thoroughfares Committee **PUB HRG WAIVED**
- 1<sup>ST</sup> RDG 8. VACATE PORTION OF GEORGE PL SW; APPROVE AND ACCEPT REPLAT OF PART OF LOTS NOS. 2992 AND 2993 AND ALL OF LOTS NOS. 2990 AND 2991 AND VACATED PORTION OF GEORGE PL SW; EMERGENCY (WALTER & JULI HENSCH, WARD 4)  
Referred to Public Safety & Thoroughfares Committee **PUB HRG WAIVED**
- 1<sup>ST</sup> RDG 9. VACATE PORTION OF FOLMER PL NE; APPROVE AND ACCEPT REPLAT OF LOTS 22839, 22840 AND 22841; EMERGENCY (DELANO MEANS, WARD 4)  
Referred to Public Safety & Thoroughfares Committee **PUB HRG WAIVED**
- 1<sup>ST</sup> RDG 10. AUTHORIZE MAYOR OR SAF DIR TO RECEIVE AND IMPLEMENT FY 2017 SAFER GRANT IN AMT OF \$1,036,353.00; AUTHORIZE AUDITOR TO APPROP AND CREATE 2818 FIRE FEMA SAFER GRANT 2017 FUND; AMEND APPROP O#64/2018; EMERGENCY (\$160,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 103001 GENERAL FUND - PAYROLL FOR \$100,000.00 AND TO 1001 103001 GENERAL FUND - PAYROLL FRINGES FOR \$60,000.00; \$160,000.00 SUPP APPROP FR UNAPPROP BAL OF 2818 FIRE FEMA SAFER GRANT 2017 TO 2818 103001 SAFER GRANT 2017 - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 11. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT AND PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION ENGINEERING SERVICES, AND ENTER INTO AGMT WITH OH EPA TO RECEIVE LOAN FOR CANTON SOUTH WATERLINE EXTENSION-PHASE 1 (HUMAN HEALTH) PROJ; AUTHORIZE AUDITOR TO CREATE 5238 CANTON SOUTH WATERLINE EXTENSION-PHASE 1 (HUMAN HEALTH) PROJ FUND; EMERGENCY  
Referred to Environmental & Public Utilities Committee

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

- 2<sup>ND</sup> RDG 12. AUTHORIZE MAYOR OR SERV DIR TO ACCEPT DONATION OF LAND FR LMP PROPERTIES, LLC; EMERGENCY (9<sup>TH</sup> & MCKINLEY NW, PARCEL #239055, FOR FUTURE DEVELOPMENT) (C&ED)
- 2<sup>ND</sup> RDG 13. AMEND APPROP O#64/2018; EMERGENCY (\$140,000.00 SUPP APPROP FR UNAPPROP BAL OF 6041 MOTOR VEHICLE DEPT FUND TO 6041 208010 SERVICE AND REPAIR - OTHER) (FIN)
- 2<sup>ND</sup> RDG 14. AUTHORIZE HIRING OF BROCK MCCROSKEY AT SALARY OF \$60,000.00 ANNUALLY WITH TEN DAYS VACATION IN 2019 AND RETURNING TO APPLICABLE CITY VACATION SCHEDULE IN 2020; EMERGENCY (COLLECTION SYSTEM ENGINEER 2) (PERS)

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

- 178/2018 15. 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)
- 179/2018 16. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT WITH GOVERNMENT JOBS.COM, INC. DBA NEOGOV; EMERGENCY (COMPREHENSIVE HUMAN RESOURCES MGMT SYSTEM AND SUPPORT)
- 180/2018 17. 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 (CONST) - OTHER)
- 181/2018 18. 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)
- 182/2018 19. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO CONTRACT WITH PHYSIO CONTROL, INC. FOR PURCH OF TWO ADDT'L HEART MONITORS UTILIZING ANY PROCUREMENT PROCESS ALLOWED BY EITHER ORC OR CANTON COD ORDINANCES; EMERGENCY (FIRE DEPT FOR AMBULANCES)
- 183/2018 20. APPROVE CANTON CITY WATER MAIN EXT TO LEXINGTON FARMS NORTH, LTD NO. 4, NO. 5 AND ANY UNNAMED PHASES; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ANY AGMTS NECESSARY FOR EXT OF SAID WATER MAIN; EMERGENCY
- 184/2018 21. ACKNOWLEDGE RECEIPT AND APPROVAL OF STARK-TUSC-WAYNE JOINT SOLID WASTE MGMT DISTRICT SOLID WASTE MGMT PLAN; EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, September 17, 2018 in Council Caucus Room at 6:15 PM**

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 3) Public Safety & Thoroughfares Committee
- 4) Environmental & Public Utilities Committee

**MISCELLANEOUS BUSINESS:** None

**QUOTE OF THE WEEK:** *“Never argue with stupid people, they will drag you down to their level and then beat you with experience.”* -Mark Twain

**ADJOURNMENT:** 7:25 P.M.

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, SEPTEMBER 17, 2018 @ 7:00 PM**