

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

CANTON CITY COUNCIL

NOVEMBER 19, 2018

INVOCATION WAS GIVEN BY AT-LARGE COUNCIL MEMBER, JAMES BABCOCK, DURING MEMORIAL SERVICE FOR COUNCIL PRESIDENT ALLEN SCHULMAN PRIOR TO COMMENCEMENT OF THE COUNCIL MEETING

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

PLEDGE OF ALLEGIANCE: President Pro Tem Smith

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#10; 2nd Rdg O#11 - O#16; O#10 Adopted on 1st Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Chris Snyder stated that his car was stolen from his residence. He contacted the Canton Police Department to file a report, but said that they treated him disrespectfully and the report was never officially filed. The only officer who listened and tried to help him was Sergeant Swank. He is asking for some consideration. He thanked his Councilman, Member Mariol, for his help. Richard Manson spoke about the City's grant program for home repairs. Since he applied for the grant in 2012, he's done his own home repairs such as replacing the roof. While he was in Florida the City mowed his lawn and assessed \$150.00 on his taxes. He is also upset because the value of his home has been increased and he must pay additional property tax. He said that tonight was the first time he was told by the Safety Director that his taxes must be paid in full to receive the grant money. He feels he is getting the "run around."

INFORMAL RESOLUTIONS:

59. COUNCIL-AS-A-WHOLE: REQUESTING OHIO GENERAL ASSEMBLY TO EXTEND 2 ADDT'L PATHWAYS AUTHORIZED IN SEC 733.67 OF HB 49 TO CLASS OF 2019, CLASS OF 2020 AND CLASS OF 2021 PRIOR TO 12/1/18. - ADOPTED
60. MAJORITY LEADER SMITH: AUTHORIZE AND DIRECT SERV DIR TO ENTER INTO PURCH ORDER IN AMT OF \$44,146.00 WITH STANDARD PLUMBING & HEATING CO. FOR REPLACEMENT OF (2) BOILERS AND RELATED EQUIP AT SEARS BLDG. - ADOPTED

COMMUNICATIONS:

433. AUDITOR MALLONN: MTHLY RPT BY FUND FOR 10/1/18 THRU 10/31/18. - RECEIVED & FILED
434. AUDITOR MALLONN: YRLY RPT BY FUND FOR 1/1/18 THRU 10/31/18. - RECEIVED & FILED
435. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO JOINT ECONOMIC DEV DISTRICT AGMT (JEDD) WITH JACKSON TWP AND RENAISSANCE ENTERPRISE LEASING, INC. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
436. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO JOB CREATION AGMT WITH RENAISSANCE ENTERPRISE LEASING, INC. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
437. HEALTH COMMISSIONER ADAMS: REQ \$971.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2318 LOCAL AIDS PREVENTION TO FUND 2318 301001 LOCAL AIDS PREVENTION - 700 OTHER. - FINANCE COMMITTEE
438. LIQUOR CONTROL DIV (OH): NOTICE OF HEARING SET 12/6/18 @ 9:30 AM IN COUNCIL CHAMBERS ON REQ FOR PERMIT TRF FOR DUEBER DRIVE THRU, 1037 DUEBER AVE SW (WARD 5). - RECEIVED & FILED
439. LIQUOR CONTROL DIV (OH): REQ FOR NEW C1 PERMIT FOR GIANT OHIO LLC, DBA GIANT 447, 2211 W TUSCARAWAS (WARD 5). - RECEIVED & FILED
440. LIQUOR CONTROL DIV (OH): NOTIFICATION THAT PERMITS TO SELL ALCOHOLIC BEVERAGES EXPIRE 2/1/19. - RECEIVED & FILED
441. MAYOR BERNABEI: AUTHORIZE RE-APPT OF JOHN STRAUSS TO ARCHITECTURAL REVIEW BD COMMENCING 1/1/19 TO 12/31/22. - PERSONNEL COMMITTEE
442. MAYOR BERNABEI: AUTHORIZE RE-APPT OF JOHN LUCAS, JR., KARL KRAUS AND STEVE LAMIELL TO ZONING BD OF APPEALS; MR. LUCAS' TERM TO COMMENCE 1/1/19 TO 12/31/20 AND MR. KRAUS' AND MR. LAMIELL'S TERMS TO COMMENCE 1/1/19 TO 12/31/21. - PERSONNEL COMMITTEE
443. MAYOR BERNABEI: AUTHORIZE APPT OF CLEO A. LUCAS TO BD OF HEALTH TO COMMENCE IMMEDIATELY UPON COUNCIL APPROVAL TO 3/31/23. - PERSONNEL COMMITTEE

COMMUNICATIONS CONTINUED:

444. MAYOR BERNABEI: ADVISING OF RE-APPT OF J.R. RINALDI TO CANTON PARK COMMISSION TO COMMENCE 1/1/19 TO 12/31/21. - RECEIVED & FILED
445. MAYOR BERNABEI: AUTHORIZE RE-APPT OF MAUREEN AUSTIN AND LOIS ELLIS TO TREE COMMISSION COMMENCING 1/1/19 TO 12/31/20. - PERSONNEL COMMITTEE
446. MAYOR BERNABEI: AUTHORIZE RE-APPT OF ANGELA MOODY TO FAIR HOUSING COMMISSION COMMENCING 1/1/19 TO 12/31/23. - PERSONNEL COMMITTEE
447. SAFETY DIRECTOR PERRY: AUTHORIZE AND DIRECT AUDITOR TO PAY \$10,094.17 MORAL OB TO SUNPRO, INC. FOR CLEANUP AND DISPOSAL OF 16 HAZARDOUS BARRELS FOR NIP PROG; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (909 6TH ST NW). - FINANCE COMMITTEE
448. SERVICE DIRECTOR HIGHMAN: REQ CONSENT LEGISLATION WITH ODOT FOR STA-43/VAR-13.72, PID 98383, GP1291 PROJ (RESURFACING ON SR-43 {CHERRY AVE} FR SR-172 {E TUSC} TO MARKET AVE AND SR-172 {E TUSC} FR SR-43 {CHERRY AVE} TO RIVERSIDE DR). - PUBLIC SAFETY & THOROUGHFARES AND FINANCE COMMITTEES
449. SERVICE DIRECTOR HIGHMAN: REQ INFORMAL RESOLUTION APPROVING PURCH ORDER IN AMT OF \$44,146.00 TO STANDARD PLUMBING & HEATING CO. FOR REPLACEMENT OF (2) BOILERS AND RELATED EQUIP AT SEARS BLDG. - RECEIVED & FILED
450. SERVICE DIRECTOR HIGHMAN SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR SERV DIR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO VARIOUS CONTRACTS PURSUANT TO CANTON CODIFIED ORD SEC 105.09 FOR PURCH OF SUPPLY EQUIP, ITEMS, MATERIALS, SUPPLIES AND SERVICES LISTED ON EXH A FOR 2019; AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ENTER INTO PROF SERVICES CONTRACTS PURSUANT TO CANTON CODIFIED ORD SEC 105.10 FOR APPLICABLE PROF SERVICES LISTED ON EXH A FOR 2019; AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ENTER INTO CONTRACT PURSUANT TO ORC SEC 735.05 WITH QUALIFIED NONPROFIT AGENCIES AS DEFINED BY ORC SECS 4115.31 TO 4115.35 FOR PURCH OF SUPPLY EQUIP, ITEMS, MATERIALS, SUPPLIES AND SERVICES LISTED ON EXH A FOR 2019; AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCH OF SUPPLY EQUIP, ITEMS, MATERIALS, SUPPLIES AND SERVICES LISTED ON EXH FOR 2019 UTILIZING ANY PURCH PROCESS AUTHORIZED BY EITHER ORC OR CANTON CODIFIED ORD; AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ENTER INTO CHANGE ORDERS AND/OR CONTRACT AMENDMENTS FOR PURCH OF SUPPLY EQUIP, ITEMS, MATERIALS, SUPPLIES AND SERVICES LISTED ON EXH A FOR 2019; AUTHORIZE SAID CONTRACTS TO BE MULTIPLE YR CONTRACTS AND/OR CONTAIN RENEWAL PROVISIONS WHERE REQUIRED OR BENEFICIAL TO CITY; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
451. SERVICE DIRECTOR HIGHMAN: PROPOSED SANITATION RATE SCHEDULE PURSUANT TO CANTON CODIFIED ORD 975.08. - RECEIVED & FILED
452. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FR 1/1/18 TO 10/31/18. - RECEIVED & FILED
453. TREASURER PEREZ: RPT OF BANK RECS AND OUTSTANDING INVESTMENTS AS OF 10/31/18. - RECEIVED & FILED
454. TREASURER PEREZ: RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR OCT 2018. - RECEIVED & FILED
455. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR OCT 2018. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND APPROP O#64/2018; EMERGENCY (\$250,000.00 SUPP APPROP FR UNAPPROP BAL OF 2120 INCOME TAX FUND TO 2120 852101 INCOME TAX ADMIN - OTHER)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 2. AMEND APPROP O#64/2018; EMERGENCY (\$771,766.30 APPROP TRF FR 5410 206058 OWDA WRF PHOSP PROJ (CONSTR) - OTHER TO 5410 206057 OWDA WRF PHOSP PROJ MEMB (6556) - OTHER)
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO PURCHASE TWO (2) DUMP/SALT TRUCKS; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; EMERGENCY (DEPT OF PUBLIC WORKS)
Referred to Public Property Capital Improvement and Finance Committees
- 1ST RDG 4. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER #1 AND FINAL IN AMT NOT TO EXCEED \$41,355.80 WITH NORTHSTAR ASPHALT, INC. FOR 19TH ST NE RESURFACING PROJ, GP 1239; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. AUTHORIZE AND CONSENT TO MINOR BRIDGE MAINTENANCE TO 12 STRUCTURES ON I-77; EMERGENCY (JUST NORTH OF CLEVELAND AVE OVER E BRANCH OF NIMISHILLEN CREEK NORTH THRU US-30 INTERCHANGE)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 6. AUTHORIZE AND CONSENT TO SPOT PAVING OF US 30 AT TRUMP AVE NE; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 7. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR LEASE OF 15.904 ACRES OF CITY OWNED PROPERTY FOR GOLF TRAINING AND PROGRAMS FOR AREA YOUTH; EMERGENCY (OUTLOTS 897 & 1343; CITY LOT 43031, AKA PARCELS 10004035, 10004038, 10004039 & 380700)
Referred to Finance and Public Property Capital Improvement Committees
- 1ST RDG 8. AUTHORIZE AND CONSENT TO MINOR BRIDGE WORK TO SFN 7601069 STA-43-10.92 OVER US 30; EMERGENCY (BELDEN AVE)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 9. AUTHORIZE ESTABLISHMENT OF FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZE MAYOR, SERV DIR OR THEIR DESIGNEE TO ENTER INTO AGMT FOR PURCHASE/ACQUISITION OR DONATION/ACQUISITION OF PART OF OUTLOT 1121 FOR PUBLIC STREET RIGHT-OF-WAY; EMERGENCY (NE CANTON INDUSTRIAL PARK PROJ; GP 1148)
Referred to Public Safety & Thoroughfares Committee

(COUNCIL RECESSED AT 7:50 FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE O#10; RECONVENED AT 7:52)

- 238/2018 10. AUTHORIZE MAYOR OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCHASE OF INTERVENTION EQUIP AND RELATED WARRANTIES AND ACCESSORIES FOR FIRE DEPT; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AMEND APPROP O#64/2018; EMERGENCY (\$21,045.85 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 103001 FIRE ADMIN - OTHER)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#11 - O#16)**

- 2ND RDG 11. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (CITY WIDE ZONE CHANGE OF SEVERAL PARCELS FOR AULTMAN HOSPITAL AND TAX PARCEL #280019 LOCATED @ MAPLE AVE NE & 23RD ST. NE FOR HABITAT FOR HUMANITY) (JUD)
PUB HRG 11/26/18 @ 7:00 PM
- 2ND RDG 12. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (LOCATED @ FAIRCREST & GREENTREE AVE SW FOR NEW DAWN REST ESTATE LLC, WARD 4)
PUB HRG 11/26/18 @ 7:01 PM (JUD)
- 2ND RDG 13. AUTHORIZE MAYOR TO ENTER INTO ENTERPRISE ZONE AGMT WITH SLESNICK REALTY CO., LLC/S. SLESNICK CO., INC. TO PROVIDE REAL PROP TAX EXEMPTION; AUTHORIZING AUDITOR TO MAKE PAYMENTS TO CANTON CITY SCHOOL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SEC 5709.82(C) OF THE REVISED CODE; EMERGENCY (PARCEL #10009723) (C&ED)
- 2ND RDG 14. AMEND APPROP O#64/2018; EMERGENCY (\$44,056.05 SUPP APPROP FR UNAPPROP BAL OF 2185 URBAN TIF FUND TO 2185 501001 MAYOR ADMIN - OTHER) (PAYMENT TO HISTORIC ONESTO, LLC) (FIN)
- 2ND RDG 15. AMEND APPROP O#64/2018; EMERGENCY (\$164,000.00 SUPP APPROP FR UNAPPROP BAL OF 2815 FEMA SAFER GRANT 2015 FUND TO 2815 103001 FIRE ADMIN - OTHER) (DRAW DOWN FEMA GRANT FUNDS) (FIN)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 16. AMEND O#64/2018; EMERGENCY (\$120,500.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 753001 LAW ADMIN - PERSONNEL - \$80,000.00, TO 1001 901001 CIVIL SERVICE - PERSONNEL - \$20,500.00, TO 1001 802001 AUDITOR - CLERK OF COURTS ATM - OTHER - \$20,000.00; \$8,225.00 SUPP APPROP FR UNAPPROP BAL OF 5701 BUILDING CODE FUND TO 5701 753001 LAW ADMIN - PERSONNEL) (YEAR END ADJUSTMENTS) (FIN)

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

- 239/2018 17. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH CANTON REGIONAL CHAMBER OF COMMERCE FOR GRANT OF CITY FUNDS IN AMT NOT TO EXCEED \$175,000.00 FOR ECONOMIC AND CIVIC DEVELOPMENT OF COMMUNITY; EMERGENCY
- 240/2018 18. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$4,217.00 ORIANA HOUSE; EMERGENCY (GPS & ELECTRONIC MONITORING OF DEFENDANTS)
- 241/2018 19. AUTHORIZE DISSOLVING RIGHT OF WAY RESERVATIONS OR ROAD RESERVATIONS CURRENTLY ASSIGNED TO PERMANENT PARCEL NO'S 281929 AND 283436; AUTHORIZE MAYOR OR SERV DIR TO TRANSFER SAME, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO CANTON COMMUNITY IMPROVEMENT CORP FOR SUBSEQUENT TRANSFER TO TIMKENSTEEL CORP; RECOMMEND INCLUDING IN DEED TRANSFER(S) EITHER RESERVATION FOR STREET RIGHT OF WAY PURPOSE OR INCLUDE REVERSION CLAUSE GRANTING LAND BACK TO CITY IN EVENT TIMKENSTEEL DR IS NOT PERMANENTLY CLOSED OR VACATED FROM PUBLIC USE; EMERGENCY
- 242/2018 20. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMOUNT NOT TO EXCEED \$11,117.23 TO VERIZON WIRELESS; EMERGENCY
- 243/2018 21. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO CONTRACT FOR PURCHASE OF SELF-CONTAINED BREATHING APPARATUS EQUIP, RELATED WARRANTIES AND ACCESSORIES FOR FIRE DEPT; OR TO ALTERNATIVELY ENTER INTO CONTRACT FOR SAID PURCHASES PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO RENAME 2811 COURT SECURITY FUNDING GRANT TO FUND 2811 - 2017 ASSISTANCE TO FIREFIGHTERS GRANT; AMEND APPROP O#64/2018; EMERGENCY (\$166,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 103001 FIRE ADMIN - OTHER; \$166,000.00 SUPP APPROP FR UNAPPROP BAL OF 2811 2017 ASSIST TO FIREFIGHTERS GRANT FUND TO 2811 103001 FIRE ADMIN - OTHER; \$150,910.00 INTER-FUND TRF/ADVANCE FR 1001 103001 FIRE ADMIN - OTHER ADVANCE OUT TO 2811 103001 FIRE ADMIN - OTHER ADVANCE IN; \$15,090.00 TRF/ADVANCE FR 1001 103001 FIRE ADMIN - OTHER TRF OUT TO 2811 103001 FIRE ADMIN - OTHER TRF IN)
- 244/2018 22. AMEND APPROP O#64/2018; EMERGENCY (\$264,599.64 SUPP APPROP FR UNAPPROP BAL OF 4573 SIB LOAN 12TH ST N. CORR. PRJ FUND TO 4573 202077 GP 1098 12TH ST N. CORR. PRJ - OTHER)
- 245/2018 23. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCHASE OF ONE (1) CAMERA INSPECTION TRUCK FOR COLLECTION SYSTEMS DEPT; OR TO ALTERNATIVELY ENTER INTO CONTRACT FOR SAID PURCHASE PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AMEND APPROP O#64/2018; EMERGENCY (\$235,829.00 APPROP TRF FR 5410 206006 COLLECTION SYSTEM DEPT - PERSONNEL TO 5410 206006 COLLECTION SYSTEM - OTHER)
- 246/2018 24. AUTHORIZE AUDITOR TO CREATE 4587 NAVARRE RD SIGNAL UPGRADE PROJ FUND; AMEND APPROP O#64/2018; EMERGENCY (\$1,086,895.00 SUPP APPROP FR UNAPPROP BAL OF 4587 NAVARRE RD SIGNAL UPGRADE PROJ, PID 76007, GP 1127 FUND TO 4587 202054 NAVARRE RD SIGNAL UPGRADE PROJ, PID 76007, GP 1127 - OTHER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, November 26, 2018 in Council Caucus Room at 6:00 PM**

- 1) Finance Committee
- 2) Public Safety & Thoroughfares Committee
- 3) Personnel Committee
- 4) Public Property Capital Improvement Committee

Executive Session

MISCELLANEOUS BUSINESS: Member Smuckler advised Mr. Manson that taxes must be paid in order to receive a grant. There is no scam. Years ago an Ordinance was adopted stating that all taxes and utility bills must be paid in full to get help from the City. He announced that the Ex-Newsboys' kickoff dinner is December 5th. Tickets are \$25.00 a piece and anyone wanting to attend should see him after the meeting. Member Chester announced that tomorrow is the 4th year for the Annual Community Thanksgiving Meal Giveaway at the Martin Center starting at 6:00 P.M. Ham, turkey and sides will be available.

ADJOURNMENT: 8:25 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, NOVEMBER 26, 2018 @ 7:00 PM