

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

CANTON CITY COUNCIL

JANUARY 28, 2019

**ROLL CALL:** Eleven Members Present

**MOTION TO EXCUSE MEMBERS:** Member Hawk Absent

**INVOCATION:** Kevin Hall, Ward 6 Council Member

**PLEDGE OF ALLEGIANCE:** President Sherer

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#6 - O#13; O#14 & O#15 Adopted as Amended)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Stephanie Sweany introduced herself and her friends as members of the Canton Kindness Coalition, which is a new organization formed in November. Their goal is to get the citizens of Canton involved in making kindness contagious by coordinating acts of kindness through the community. They've sent holiday cards to veterans, made holiday wreaths for seniors, had a supply drive, snack drive and a makeup and personal care drive for various organizations. Ms. Sweany invited Council and Administration to a Kisses for Kindness Fundraiser on First Friday held at Cantonology and the Arcadia Grill. Greg Conrad commended the Street Department on the wonderful job they did last weekend in clearing the streets during the snow storm.

**INFORMAL RESOLUTIONS:**

7. MAJORITY LEADER SMITH: AUTHORIZE AND DIRECT SERV DIR TO OPEN PURCH ORDER IN AMT NOT TO EXCEED \$31,706.00 TO THE K COMPANY FOR INSTALLATION OF HVAC SYSTEM FOR COMMUNITY ROOM AT EDWARD "PEEL" COLEMAN BLDG. - ADOPTED
8. PERSONNEL COMMITTEE: AUTHORIZE APPT OF BRENDA KIMBROUGH TO TREE COMMISSION COMMENCING 1/28/19 TO 12/31/20. - ADOPTED

**COMMUNICATIONS:**

25. COURT ADMIN. KOCHERA: AUTHORIZE AUDITOR TO PAY MORAL OB TO ORIANA HOUSE, INC. IN AMT OF \$1,343.50; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (GPS & ELECTRONIC MONITORING). - FINANCE COMMITTEE
26. DEPUTY MAYOR WILLIAMS: REQ INF RESOLUTION AUTHORIZING SERV DIR TO OPEN PURCH ORDER IN AMT OF \$31,706.00 TO THE K COMPANY, INC. FOR INSTALLATION OF HVAC SYSTEM FOR COMMUNITY ROOM (EDWARD "PEEL" COLEMAN CENTER). - RECEIVED & FILED
27. FINANCE CHAIRMAN MORRIS: AUTHORIZE 5% TOTAL INCREASE TO YRLY SALARY OF COUNCIL OFFICE STAFF; SUSPEND ANY AND ALL ANNUAL COST OF LIVING ADJUSTMENTS FOR CITY COUNCIL MEMBERS FOR FISCAL YR 2019; EMERGENCY . - PERSONNEL & FINANCE COMMITTEES
28. LIQUOR CONTROL DIV (OHIO): NOTICE OF HRG ON APPEAL FR OHIO DIV OF LIQUOR CONTROL'S ORDER ON THURSDAY, FEBRUARY 7, 2019 @ 10:00 A.M. (RUBY MANAGEMENT LLC, DBA RUBY SALOON @ 2548 WINFIELD WAY NE, PERMIT #7576907). - RECEIVED & FILED
29. LIQUOR CONTROL DIV (OHIO): REQ TRF D2 D2X D3 PERMIT FR BENDERS TAVERN INC TO BENDERS TAVERN LLC @ 131-37 COURT AVE SW. - RECEIVED & FILED
30. MAYOR BERNABEI: LTR ADVISING OF RE-APPT OF REV. JAMAR FLEMING, MAJOR TOM GRACE AND MS. REMEL MOORE TO MAYOR'S COMMUNITY RELATIONS COMMISSION, COMMENCING RETRO FR 1/1/19 THRU 12/31/20. - RECEIVED & FILED
31. MAYOR BERNABEI: LTR ADVISING OF RE-APPT OF AMANDA STEWART TO PLANNING COMMISSION COMMENCING RETRO FR 1/1/19 THRU 12/31/24. - RECEIVED & FILED
32. PROP OWNERS: J&S PROPERTY ACQUISITIONS, LLC: REQ AUTHORIZATION FOR ZONE CHANGE @ 2725 MARET PL NE (PARCEL #10004524), WARD 1 (SCOTT WEINGOLD & JOHN HOLLIS FOR J&S PROPERTY ACQUISITIONS). - PLANNING COMMISSION
33. SAFETY DIRECTOR PERRY: AUTHORIZE AND DIRECT AUDITOR TO PAY ANY AND ALL MORAL OBS FOR MEDICAL AND PHARMACY EXPENSES RESULTING PRIOR TO PASSAGE OF ORD; RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN TO ENSURE MORAL OBS ARE PAID IN TIMELY MANNER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE

**COMMUNICATIONS CONTINUED:**

34. SERVICE DIRECTOR HIGHMAN: AMEND EXHIBIT A TO O#40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL, TO ADD ONE (1) CIVIL ENGINEER TECHNICIAN V CLASSIFICATION, POSITION NO. 469, FUND 20-70-22, BARGAINING UNIT 12, FLSA STATUS NON-EXEMPT TO SERV DIR'S PUBLIC WORKS - WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIVISION; EMERGENCY. - PERSONNEL COMMITTEE
35. SERVICE DIRECTOR HIGHMAN: AMEND O#276/2018 (\$160,000.00 APPROP TRF FR 1001 204010 OTHER BUILDINGS - PERSONNEL TO 1001 204010 OTHER BUILDINGS - OTHER; EMERGENCY (BLDG MAINT APPROP TRF FOR CLEANING). - FINANCE COMMITTEE
36. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH ARCADIS FOR DESIGN OF PERRY DRIVE/TUSCARAWAS STREET/WOODLAWN AVE AREA WATER MAIN REPLACEMENT PROJ - PHASE I; AMEND O#276/2018 (\$377,600.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207057 PERRY/TUSCARAWAS/WOODLAWN AREA WATER MAIN REPLACEMENT PROJ PHASE I - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
37. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH ARCADIS FOR DESIGN OF PERRY DRIVE/TUSCARAWAS STREET/WOODLAWN AVE AREA WATER MAIN REPLACEMENT PROJ - PHASE II; AMEND O#276/2018 (\$141,600.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207058 PERRY/TUSCARAWAS/WOODLAWN AREA WATER MAIN REPLACEMENT PROJ - PHASE II - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
38. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PRELIMINARY PARTICIPATION AGMT STA-US 62-24.05, PID 96346 WITH ODOT TO RELOCATE WATER LINES; AUTHORIZE MAYOR AND/OR SERV DIR TO ASSUME AND BEAR 100% OF COSTS OF WATER LINE CONSTRUCTION; AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RESULTING FR HIGHER BID COSTS/CHANGE ORDERS ENCOUNTERED BY ODOT DURING PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES
39. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 12/31/18. - RECEIVED & FILED
40. FINANCE CHAIRMAN MORRIS: REQ WITHDRAWAL OF COMMUNICATION #27 FR THE 1/28/19 AGENDA. - RECEIVED & FILED.

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

- 1<sup>ST</sup> RDG 1. APPROVE AND ACCEPT REPLAT OF LOTS 3083, 3084 AND PART OF LOTS 6226, 6227, 6228 AND 6229 VACATING A 12' UNNAMED ALLEY; EMERGENCY (NW CORNER 9<sup>TH</sup> ST AND THE O'JAYS PKWY NE, WARD 2) **PUB HRG WAIVED**  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE FOR REQ FOR PROPOSALS FR INTERESTED VENDORS FOR IMPLEMENTATION OF ENERGY CONSERVATION MEASURES FOR SPECIFIED CITY BLDGS PURSUANT TO O.R.C. 717.02; EMERGENCY ("SMART CITIES")  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG 3. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR 33<sup>RD</sup> ST NW AREA WATER MAIN REPLACEMENT PROJ; EXECUTE PROF SERVS CONTRACT FOR CONSTRUCTION OVERSIGHT SERVS; RECEIVE GRANT FUNDS IN AMT OF \$900,000.00 AND ZERO PERCENT INT LOAN IN AMT OF \$600,000.00 FR OHIO PUBLIC WORKS COMMISSION; AUTHORIZE AUDITOR TO CREATE 5239 33<sup>RD</sup> ST NW AREA WATER MAIN REPLACEMENT PROJ FUND; AMEND APPROP O#276/2018; EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5239 33<sup>RD</sup> STREET NW AREA WATER MAIN REPLACEMENT PROJ FUND TO 5239 207052 33<sup>RD</sup> STREET NW AREA WATER MAIN REPLACEMENT PROJ - OTHER; \$565,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207052 33<sup>RD</sup> STREET NW AREA WATER MAIN REPLACEMENT - OTHER)  
Referred to Finance and Environmental & Public Utilities Committees

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

- 1<sup>ST</sup> RDG 4. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR BLDG OF AGGREGATE SHELTER AND RELATED UPGRADES; AMEND APPROP O#276/2018; EMERGENCY (\$220,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 WATER DISTRIBUTION - OTHER)  
Referred to Finance and Public Property Capital Improvement Committees
- 1<sup>ST</sup> RDG 5. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT; EXECUTE A PROF SERVS CONTRACT FOR CONSTRUCTION OVERSIGHT SERVS FOR RIDGEWOOD EAST WATER MAIN REPLACEMENT PROJ PHASE II; AMEND APPROP O#276/2018; EMERGENCY (\$1,064,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207047 RIDGEWOOD PHASE II WATER MAIN REPLACEMENT PROJ - OTHER)  
Referred to Finance and Environmental & Public Utilities Committees

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#6 - O#13)**

- 2<sup>ND</sup> RDG 6. WITHDRAW CANTON'S OBJECTION TO TRANSFER OF LIQUOR PERMIT LOCATED WITHIN CITY; EMERGENCY (FAMILY DOLLAR 5947, 1207 12<sup>TH</sup> ST NW, WARD 1) (JUD)
- 2<sup>ND</sup> RDG 7. WITHDRAW CANTON'S OBJECTION TO TRANSFER OF LIQUOR PERMIT LOCATED WITHIN CITY; EMERGENCY (FAMILY DOLLAR 1348, 2901 MAHONING RD NE, WARD 6) (JUD)
- 2<sup>ND</sup> RDG 8. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROFESSIONAL SERVICES CONTRACT WITH IBI GROUP FOR DESIGN OF CLEVELAND AVE NW WATER MAIN REPLACEMENT PROJ; AMEND APPROP O#276/2018; EMERGENCY (\$174,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207055 CLEVELAND AVE NW WATER MAIN REPLACEMENT PROJ - OTHER) (FIN)
- 2<sup>ND</sup> RDG 9. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE FOR DESIGN OF MARKET AVE NORTH WATER MAIN REPLACEMENT PROJ; AMEND APPROP O#276/2018; EMERGENCY (\$87,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207054 MARKET AVE NORTH WATER MAIN REPLACEMENT PROJ - OTHER) (FIN)
- 2<sup>ND</sup> RDG 10. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROFESSIONAL SERVICES CONTRACT WITH CT CONSULTANTS, INC. FOR DESIGN OF SPANGLER ST NE AREA WATER MAIN REPLACEMENT PROJ; AMEND APPROP O#276/2018; EMERGENCY (\$154,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207056 SPANGLER ST NE AREA WATER MAIN REPLACEMENT PROJ - OTHER) (FIN)
- 2<sup>ND</sup> RDG 11. AMEND EXHIBIT A TO O#40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (DEPT 20WT SERV DIR'S PUBLIC WORKS WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIV, WATER QUALITY CONTROL CHEMIST AND BACTERIOLOGIST) (PERS)
- 2<sup>ND</sup> RDG 12. AMEND EXHIBIT A TO O#100/2011, AS AMENDED, CLASSIFICATION PLAN FOR NON-BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON/ EMERGENCY ( DEPT 20WT, SERV DIR'S PUBLIC WORKS WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIV, SUPERVISOR DISTRIBUTION CLASS AND ASST SUPERVISOR DISTRIBUTION CLASS) (PERS)
- 2<sup>ND</sup> RDG 13. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT AND EXECUTE ENGINEERING PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; ESTABLISH FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZE MAYOR, SERV DIR OR DESIGNEE TO ENTER INTO AGMTS FOR PURCHASE/ACQUISITION OR DONATION/ACQUISITION OF THESE PARCELS; AUTHORIZE MAYOR OR SERV DIR TO ACQUIRE THREE PARCELS OF DELINQUENT VACANT LAND THRU STARK CTY LAND REUTILIZATION CORP; AUTHORIZE CITY TO RECEIVE AND ENTER INTO AGMT FOR GRANT FUNDS FOR 3<sup>RD</sup> ST SE BRIDGE PROJ; GP 1167; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE 4588 3<sup>RD</sup> ST SE BRIDGE PROJ, GP 1167, PID 91972 FUND; EMERGENCY (FIN & PPCI)

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

- 5/2019 14. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO JOB CREATION TAX INCENTIVE AGMT WITH THRASHER ENGINEERING, INC. PURSUANT TO CITY'S INCENTIVE PROGRAMS; EMERGENCY

**AMENDED AS**

- 6/2019 15. AMEND O#88/2012; EMERGENCY (AMEND LANGUAGE UNDER CAPTION "CORNERSTONE DECK")

- 7/2019 16. AUTHORIZE MAYOR TO ENTER INTO ENTERPRISE ZONE AGMT WITH JULZ BY ALAN RODRIGUEZ TO PROVIDE REAL PROP TAX EXEMPTION; AUTHORIZE AUDITOR TO MAKE PAYMENTS TO CANTON CITY SCHOOL BD OF EDU AS REQ PURSUANT TO SEC 5709.82(C) OF REVISED CODE; EMERGENCY

- 8/2019 17. AUTHORIZE MAYOR OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS FOR PURCH OF FOUR (4) SMALL SPORT UTILITY VEHICLES FOR BUILDING DEPT; ALTERNATIVELY PURCH SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY O.R.C. AND/OR CANTON COD ORD; EMERGENCY

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

- 9/2019** 18. AMEND EXHIBIT A TO O#40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (ADDT'L SENIOR ELECTRONIC TECHNICIAN TO SERV DIRECTOR'S PUBLIC WORKS COLLECTION SYSTEM DEPT)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, February 4, 2019 in Council Caucus Room at 6:30 PM**

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

**MISCELLANEOUS BUSINESS:** Service Director Highman commended the Street Department for their efforts of clearing the streets during the snow storm. He also thanked Council, the Administration and city employees for stepping up. He said it cost the city approximately \$200,000.00 in labor and salt. There will be a press release stating that there may be a 24 hour delay for trash pickup, depending on the upcoming extreme temperatures. Deputy Mayor Williams informed Council and the public of the warming centers that will be open due to the extreme cold weather. Member Mariol commended Stephanie Sweany and the Canton Kindness Coalition for their work. He said he knows that anything Ms. Sweany does also works well and offered his assistance. Member Minor Smith commended the Youth Council and Member Fisher for their work on the MLK Celebration and Youth Symposium. They will be having a fundraiser for clothing and hygiene items on 1<sup>st</sup> Friday at the Arcade Conneys and Skating Rink. If you donate, you will receive a skating discount. She asked for continued support of the Youth Council.

**QUOTE OF THE WEEK:** *"My grandmother started walking five miles a day when she was sixty. She's ninety-seven now and we don't know where the hell she is."* - Ellen DeGeneres

**ADJOURNMENT:** 7:30 PM

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, FEBRUARY 4, 2019 @ 7:00 PM**