

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

APRIL 8, 2019

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Nathaniel Chester, Ward 2 Council Member

PLEDGE OF ALLEGIANCE: President Sherer

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#4; 2nd Rdg O#5 - O#7; O#4 Adopted on 1st Rdg; O#7 Adopted on 2nd Rdg; O#10 & O#12 Adopted as Amended)

PUBLIC HEARINGS:

7:00 PM AN ORDINANCE AMENDING O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; LOCATED AT 2707 W TUSCARAWAS ST (PARCELS 245723, 224730, 215034, 233875 & 229559) FROM B-3 (GENERAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS), WARD 3; PLANNING COMMISSION RECOMMENDS APPROVAL (NO SPEAKERS) **SEE O#63/2019**

7:01 PM AN ORDINANCE AMENDING O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; LOCATED AT 2725 MARET PL NE (PARCEL #10004524) FROM B-3 (GENERAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS), WARD 6; PLANNING COMMISSION RECOMMENDS APPROVAL (NO SPEAKERS) **SEE O#64/2019**

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Pat Silagy-Wesson stated that the Canton neighbors are here tonight for the Neighborhood Leadership Council's annual trip to City Council. The NLC is a network of citizens representing most of Canton's 49 neighborhood associations who meet regularly under the direction of Marilyn Thomas Jones. She asked anyone who was there representing their neighborhood to please stand up. The NLC's top 2019 concerns are crime, schools and a vision for the future. Bruce Nordman, President of the Vassar Park Neighborhood Association, stated that nine Presidents of the North Central Neighborhood Associations have met monthly with Mayor Bernabei, Council President, Bill Sherer, Members Morris and Mariol and other department heads to discuss how to spend \$2 to \$3 million for the Comprehensive Plan. They will be meeting again on May 8th to review improvements along Cleveland Ave. including refacing of store fronts. He credited Marilyn Thomas Jones for these improvements and asked for applause on her behalf as well as Canton City leaders. Pastor Walter Moss, who is a founding member of Vassar Park Neighborhood Association, spoke about the Crime Stoppers. He joined a project with the Canton Police Department in 2017 to solve certain crimes and they now have a Crime Stoppers Board, of which Member Hawk is the President. There will be a Crime Stoppers Continental Breakfast on April 23rd at 8:00 A.M. at the Onesto Hotel and he asked for everyone's support. He said we must offer help for those seeking justice for loved ones. Christopher Leach, Chairman of SWIFT and member of the Mayor's Neighborhood Commission, stated that time is precious, so he wanted to thank Marilyn Thomas Jones for volunteering and Mayor Bernabei for serving at the Thanksgiving dinner and Corey Minor Smith for volunteering at the Christmas dinner. He said this proves people do care, and recognized all those volunteers from the Neighborhood Associations.

INFORMAL RESOLUTIONS:

10. PERSONNEL COMMITTEE: CONFIRMING MAYOR'S APPT OF DR. JAMES D. JOHNS TO BOARD OF HEALTH COMMENCING 4/1/19 TO 3/31/24. - ADOPTED

COMMUNICATIONS:

114. AUDITOR MALLONN: MTHLY RPT BY FUND FOR 3/1/19 THRU 3/29/19. - RECEIVED & FILED
115. AUDITOR MALLONN: YRLY RPT BY FUND FOR 1/1/19 THRU 3/29/19. - RECEIVED & FILED
116. AUDITOR MALLONN: AUTHORIZE AUDITOR TO ENTER INTO RENEWAL OF MAINTENANCE AND SUPPORT AGMT WITH TYLER TECHNOLOGIES EFFECTIVE 4/1/19 FOR (1) YR TERM WITH AUTOMATIC RENEWAL FOR (1) ADDITIONAL YR UNLESS TERMINATED BY EITHER PARTY AT LEAST 90 DAYS PRIOR TO END OF CURRENT TERM AT COST OF \$80,000.00 WITH ANNUAL INCREASE OF NO MORE THAN 4% PER YR FOR YRS (6) THRU (10); AUTHORIZE AND DIRECT AUDITOR TO PAY ANY AND ALL MORAL OBS FOR SAID AGMT RESULTING PRIOR TO PASSAGE OF ORD; RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN TO ENSURE MORAL OBS ARE PD IN TIMELY MANNER (NEW WORLD FINANCIAL SYS). - FINANCE COMMITTEE
117. COURT ADMIN KOCHERA: 2018 CANTON MUNICIPAL CT ANNUAL REPORT. - RECEIVED & FILED
118. DOMINION ENERGY: NOTICE OF FILING TO ESTABLISH NEW RATE SCHEDULE AND ESTIMATED RATES WITH PUCO. - RECEIVED & FILED
119. LIQUOR CONTROL DIV (OHIO): REQ NEW C2 PERMIT FOR ALDI, INC. OHIO DBA ALDI 65 AT 2725 MARET ST NE (WARD 6). - RECEIVED & FILED
120. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT #2 WITH STEP CG, LLC IN APPROX AMT OF \$11,644.81 FOR CITY PHONE UPGRADE; RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN RELATED TO SAID CONTRACT AMENDMENT PRIOR TO FINALIZATION; REQ \$11,644.81 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206005 OPERATION AND MAINTENANCE - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

121. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR BUILDING OF NEW PARKING LOT, ACCESS RD, GRADING, STORM SEWER AND WETLAND MITIGATION AT CANTON WATER DEPT'S DISTRIBUTION FACILITY; REQ \$761,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207059 WATER SHOP IMPROVEMENTS - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
122. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ONE OR MORE PROFESSIONAL SERVICES CONTRACTS AND/OR AMENDMENTS WITH BLACK, MCCUSKEY, SOUERS & ARBAUGH LPA FOR LEGAL MATTERS RELATED TO 38TH ST NW WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJ; RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN RELATED TO SAID LEGAL SERVICES PRIOR TO FINALIZATION OF CONTRACT; REQ \$25,000.00 INTRA-FUND TRF FR 4501 207037 38TH ST NW IMPROV PROJ - OTHER TO 4501 202001 ENGINEERING ADMIN - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
123. TREASURER PEREZ: RPT OF 3/31/19 BANK REC AND OUTSTANDING INVESTMENTS AS OF 3/31/19. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE MAYOR OR SAF DIR TO: ENTER INTO ONE OR MORE CONTRACTS WITH BD OF STARK CO COMMISSIONERS AND/OR STARK CO LAND REUTILIZATION CORP FOR ADMIN OF 50/50 SPLIT PROG; TO ACQUIRE OR ACCEPT BLIGHTED PROPERTIES FOR DEMO OF BLIGHTED PROPERTIES; ACCEPT ANY OUTSIDE FUNDS; ENTER INTO ANY CONTRACTS NECESSARY FOR DEMO OF SAID PROPERTIES IN AMT NOT TO EXCEED \$50,000.00 TOTAL PER PROPERTY WITHOUT UTILIZING INFORMAL RESOLUTION PROCESS REQUIRED BY SEC 105.09 OF CANTON CODIFIED ORD; AND ADVERTISE, RECEIVE BIDS, AWARD OR ENTER INTO CONTRACT FOR DEMO OF SAID PROPERTIES IF TOTAL ACQUISITION/DEMO EXPENSES ARE ESTIMATED TO BE IN EXCESS OF \$50,000.00 FOR PARTICULAR PROPERTY; AMEND APPROP O#50/2019; EMERGENCY (\$800,000.00 SUPP APPROP FR UNAPPROP BAL OF 5701 BUILDING CODE FUND TO 5701 101501 CODE ENFORCEMENT ADMIN - OTHER)
Referred to Finance and Community & Economic Development Committees
- 1ST RDG 2. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO CONTRACT WITH BD OF STARK CTY COMMISSIONERS FOR PURPOSES OF HOUSING PRISONERS; AMEND APPROP O#50/2019; EMERGENCY (\$40,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102001 POLICE ADMIN - OTHER)
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE PROFESSIONAL SERVICES CONTRACT WITH ARCADIS FOR DESIGN OF EDGEFIELD AVE AREA WATER MAIN REPLACEMENT PROJ PHASE II; AMEND APPROP O#50/2019; EMERGENCY (\$148,500.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207061 EDGEFIELD AVE ARE WATER MAIN REPLACEMENT PROJ - PHASE II - OTHER)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:22 PM FOR THE FINANCE COMMITTEE TO DISCUSS O#4; RECONVENED AT 7:24 PM)

- 61/2019 4. AMEND APPROP O#50/2019; EMERGENCY (\$290,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$290,000.00 INTERFUND ADVANCE FR 1001 GENERAL FUND TO 2211 COMMUNITY DEVELOPMENT FUND)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#5 - O#7; O#7 ADOPTED)

- 2ND RDG 5. ACCEPT TAX INCENTIVE REVIEW COUNCIL'S RECENT RECOMMENDATIONS REGARDING ENTERPRISE ZONE AND COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGMTS; EMERGENCY (C&E)
- 2ND RDG 6. APPROVE CANTON CITY WATER MAIN EXTENSION TO BETHLEHEM TOWNSHIP; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT FOR EXTENSION OF WATER MAIN; EMERGENCY (E&PU)
- 62/2019 7. AUTHORIZE PARTICIPATION IN ODOT ROAD SALT CONTRACT; EMERGENCY (2019 WINTER ROAD SALT CONTRACT) (FIN)

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

- 63/2019 8. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCELS 245723, 224730, 215034, 233875 & 229559, 2707 W TUSC, MICHAEL RANDAZZO, PATRIOT CAR WASH LLC, WARD 3)
PUB HRG 4/8/19 @ 7:00 PM

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

- 64/2019** 9. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (10004524, 2725 MARET PL NE, J&S PROPERTY ACQUISITIONS LLC, WARD 6)
PUB HRG 4/8/19 @ 7:01 PM

AMENDED

- 65/2019** 10. AMEND APPROP O#276/2018; EMERGENCY (\$79,044.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 852001 TREASURER ADMIN - OTHER; \$21,078.40 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 852001 TREASURER ADMIN - OTHER; \$5,269.60 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 852101 INCOME TAX ADMIN - OTHER)
- 66/2019** 11. AUTHORIZE WAGE INCREASE FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL; EMERGENCY (2%)
- AMENDED**
- 67/2019** 12. AUTHORIZE MAYOR OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCHASE OF SELF-CONTAINED BREATHING APPARATUS EQUIP AND RELATED WARRANTIES AND ACCESSORIES FOR FIRE DEPT; OR TO ALTERNATIVELY MAKE SAID PURCHASE PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AMEND APPROP O#276/2018; EMERGENCY (\$166,000.00 SUPP APPROP FR UNAPPROP BAL OF 2811 2017 ASSIT TO FIREFIGHTERS GRANT FUND TO 2811 103001 FIRE ADMIN - OTHER)
- 68/2019** 13. AMEND O#100/2011, SEC 151.07, AND REPEAL O#94/2013, AS AMENDED, AMENDING CLASSIFICATION PLAN FOR NON-BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON (SET ANNUAL SALARY OF INCUMBENT HR DIR AND BLDG MAINT SUPT AT \$70,644.00 RETRO TO 1/1/19; SET ANNUAL SALARY OF TWO (2) INCUMBENT CRIMINALISTS AT \$50,533.00 RETRO TO 1/1/19)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, April 15, 2019 in Council Caucus Room at 6:30 PM**

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

MISCELLANEOUS BUSINESS: Member Minor Smith announced that this will be her last night as a City Council Member. Her full time position has restricted her duties with her agency. She thanked Member Fisher, Member Smuckler, Majority Leader Smith and Safety Director Perry for their help and support. Member Hawk thanked Pastor Moss for his remarks regarding Crime Stoppers and stated that all funds from the April 23rd fund raiser will go to put in play the tip line and the ability to pay for the tips that come in. He thanked the Law Director, the County Prosecutor, the Canton Police Chief and the Stark County Sheriff for their help and support. Member Smith thanked the community, the Mayor, elected officials and Safety Director Perry for attending and helping with the vigil for Sylvia McGee. She especially thanked the community for their love and support. Member Hall wished Shawn Houghton, member of the Harrisburg Royal Neighborhood Association, a happy birthday.

QUOTE OF THE WEEK: *"I'm very humbled. I was given the opportunity to serve the citizens of Canton, and it is just that, it's a service. Just like each and every one of you sitting here today. It is our job to serve the citizens of the City. To do everything we can, to strive to make this a better place to live. But I challenge myself, and each and every one of us here, to have a lifetime of action, to make this a better place for the citizens we serve."* -Detective Joseph Mongold

ADJOURNMENT: 7:40 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, APRIL 15, 2019 @ 7:00 PM