

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

CANTON CITY COUNCIL

APRIL 22, 2019

**ROLL CALL:** All Members Present

**MOTION TO EXCUSE MEMBERS:** Not Necessary

**INVOCATION:** Robert Fisher, Ward 5 Council Member

**PLEDGE OF ALLEGIANCE:** President Sherer

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#6 - O#10; O#11 Adopted as Amended)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Patricia Kirk stated that the article in Sunday's paper showing the drawing for the proposed Kresge lot is unrealistic. The lot is not big enough for the structure they plan to build and trees cannot be placed that close together. The trees the City contributed to the Kresge lot were planted wrong and the Downtown Central Neighborhood Association hired local companies to remove the wires and mulch around them. They always hired local companies to deliver topsoil and mulch, and purchased the plants from a local nursery. People need jobs and this is how we invest in the City.

**INFORMAL RESOLUTIONS:** None

**COMMUNICATIONS:**

132. COURT ADMIN KOCHERA: REQ \$21,769.00 APPROP TRF FR OTHER - MISDEMEANOR JAIL DIVERSION GRANT FUND #701001-2767 TO PERSONNEL - MISDEMEANOR JAIL DIVERSION GRANT FUND #701001-2767. - FINANCE COMMITTEE
133. DEPUTY MAYOR WILLIAMS: AMEND O#69/2016 TO AUTHORIZE SID TO ENTER INTO NON-EXCLUSIVE AGMTS, NOT TO EXCEED 2 YRS, FOR SPECIFIC ADVERTISING ON "OFFICIAL CUP" USED IN DORA. - DOWNTOWN DEVELOPMENT AND JUDICIARY COMMITTEES
134. FINANCE DIRECTOR CROUSE: REQ \$60,000.00 SUPP APPROP FR UNAPROP BAL OF 2185 URBAN TIF FUND TO 2185 871001 ONESTO TIF - OTHER FOR \$30,000.00 AND TO 2185 871002 INNOVATION DISTRICT TIF - OTHER FOR \$30,000.00; REQ \$60,000.00 APPROP TRF FR 2185 501001 MAYOR ADMIN - OTHER TO 2185 871001 ONESTO TIF - OTHER FOR \$30,000.00 AND TO 2185 871002 INNOVATION DISTRICT TIF - OTHER FOR \$30,000.00. - FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
135. LIQUOR CONTROL COMM (OHIO): HRG NOTICE FOR RUBY MGMT LLC, DBA RUBY SALOON APPEAL SET FOR 5/9/19 AT 10:00 AM AT VERN RIFFE CTR FOR GOVT AND ARTS, 77 S HIGH ST, 19<sup>TH</sup> FL, COLUMBUS OH. - RECEIVED & FILED
136. MAYOR BERNABEI  
MAJORITY LEADER SMITH  
ASST MAJORITY LEADER BABCOCK  
COUNCIL MBR CHESTER (WARD 2): CHANGE NAME OF "MARKET SQUARE" TO "CENTENNIAL PLAZA"; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL CONTRACT AMENDMENTS WITH MKSK AS NECESSARY FOR DESIGN AND CONSTRUCTION OVERSIGHT OF ALL PHASES OF CENTENNIAL PLAZA PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY AND ALL CONSTRUCTION CONTRACTS NEEDED FOR SAID PROJ; RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN PRIOR TO COMPLETION OF ALL CONTRACTS AND CONTRACT AMENDMENTS RESULTING FR THIS ORDINANCE AND PAYING ANY AND ALL MORAL OBS RELATED TO SAME; AUTHORIZE MAYOR AND/OR SERV DIR TO ACCEPT ANY AND ALL OUTSIDE FUNDING AND/OR GIFTS RELATED TO SAID PROJ; AUTHORIZE MAYOR TO ENTER INTO AGMT WITH HOF FOR PROGRAMMING, ETC; REQ \$7,409,000.00 SUPP APPROP FR UNAPPROP BAL OF 2175 COMPREHENSIVE PLAN FUND TO 2175 200501 - GENERAL GOV'T ADMIN - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE AND DOWNTOWN DEVELOPMENT COMMITTEES
137. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 9 WITH BEAVER EXCAVATING CO IN AMT OF \$109,682.88 FOR 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETSCAPE PROJ, GP 1160, PID 90671; RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN FOR FURTHERANCE OF SAID PROJ PRIOR TO FINALIZATION OF SAID CHANGE ORDER AND AUTHORIZE AND DIRECT AUDITOR TO PAY ANY AND ALL RELATED MORAL OBS; REQ \$109,682.88 SUPP APPROP FR UNAPPROP BAL OF 4581 12<sup>TH</sup> ST NW BRIDG REP STR PROJ FUND TO 4581 202091 12 ST NW BRIDGE REPL GP 1160 (OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
138. SERVICE DIRECTOR HIGHMAN: AUTHORIZE AND DIRECT AUDITOR TO PAY MORAL OB FOR READY MIX CONCRETE TO DIANO SUPPLY CO IN AMT NOT TO EXCEED \$2,788.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

**COMMUNICATIONS CONTINUED:**

139. SERVICE DIRECTOR HIGHMAN: RETRO AUTHORIZE ANY ACTIONS TAKEN PRIOR TO ISSUING OF NEW (REPLACEMENT) PO'S FOR OH POWER CO (AEP), AT&T, EAST OH GAS CO DBA DOMINION ENERGY OH (DEO) AND CHARTER COMMUNICATIONS (SPECTRUM) TO FACILITATE MAHONING RD CORRIDOR PROJ, PHASE 2, GP 1103, PID 90365 AND AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED TO SAME; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
140. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO EXTEND WATER MAIN ALONG WOODLAND ST SW IN VILLAGE OF HARTVILLE; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER ANY AND ALL AGMTS, INCLUDING EASEMENT AGMTS, NECESSARY FOR SAID EXT; AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROFESSIONAL SERVICES CONTRACT WITH CT CONSULTANTS, INC FOR DESIGN OF SAID EXT PROJ; REQ \$27,390.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207062 WOODLAND ST SW WATER MAIN EXTENSION FUND - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES

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

- 1<sup>ST</sup> RDG 1. APPROVE AND ACCEPT REPLAT OF PART OF LOT 37672 AND PART OF OUT LOT 1409; EMERGENCY (PARCELS 304506, 10010416 & 10010429, 3112 CLEVELAND AVE NW FOR DEVILLE DEV LLC, WARD 7)  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 2. APPROVE AND ACCEPT REPLAT OF ALL OF OUT LOT 1283 AND PART OF OUT LOT 1284; EMERGENCY (PARCELS 223650, 400885 & 10010995, 1901 STEINWAY BLVD SE FOR STEINWAY ASSOC LLC, WARD 4)  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 3. APPROVE AND ACCEPT REPLAT OF LOTS 24701 THRU 24709 AND PARTS OF LOTS 24710 AND 24711; EMERGENCY (PARCELS 204119, 284418, 284419, 284420, 284421, 284422, 285453, 285454 & 285478, 413 CORNELIA AVE NE FOR UNION BAPTIST CHURCH, WARD 4)  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 4. AMEND APPROP O#50/2019; EMERGENCY (\$25,000.00 APPROP TRF FR 1001 102001 POLICE ADMIN - PERSONNEL TO 1001 102001 POLICE ADMIN - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. AMEND SEC 339.02; USE OF LOCAL STREETS; LOCAL PERMIT AND CONDITIONS OF CHAPTER 339, COMMERCIAL HEAVY VEHICLES OF TRAFFIC CODE  
Referred to Judiciary Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#6 - O#10)**

- 2<sup>ND</sup> RDG 6. AMEND SEC 551.05, PROCEDURE AFTER FAILURE TO COMPLY, OF GENERAL OFFENSES CODE AND 947.09, PAYMENT, OF CHAPTER 947 SEWER RATES; AMEND CHAPTER 975, SOLID WASTE MGMT SYSTEM (JUD)
- 2<sup>ND</sup> RDG 7. AUTHORIZE AUDITOR TO ENTER INTO RENEWAL OF MAINTENANCE AND SUPPORT AGMT WITH TYLER TECHNOLOGIES EFFECTIVE 4/1/19 WITH TERM EFFECTIVE FOR ONE YR WHICH WILL RENEW AUTOMATICALLY FOR ADDITIONAL ONE YR TERMS UNLESS TERMINATED BY EITHER PARTY AT COST OF \$80,000.00 WITH ANNUAL INCREASE OF NO MORE THAN 4% PER YR FOR YEARS SIX THRU TEN; AUTHORIZE AUDITOR TO PAY MORAL OBS FOR AGMT RESULTING PRIOR TO PASSAGE OF THIS ORDINANCE; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 8. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT NUMBER 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 CONTRACT AMENDMENT PRIOR TO FINALIZATION OF CONTRACT RESULTING FR THIS ORD; AMEND APPROP O#50/2019; EMERGENCY (\$11,644.81 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206005 OPERATION AND MAINTENANCE - OTHER) (FIN)
- 2<sup>ND</sup> RDG 9. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR BUILDING NEW PARKING LOT, NEW ACCESS ROAD, GRADING, STORM SEWER AND WETLAND MITIGATION OF CANTON WATER DEPT DISTRIBUTION FACILITY; AMEND APPROP O#50/2019; EMERGENCY (\$761,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207059 WATER SHOP IMPROVEMENTS - OTHER) (FIN)

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

- 2<sup>ND</sup> RDG 10. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ONE OR MORE PROF SERVS CONTRACTS AND/OR AMENDMENTS WITH BLACK, MCCUSKEY, SOUERS & ARBAUGH LPA FOR LEGAL MATTERS RELATED TO 38<sup>TH</sup> ST NW WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJ; RETRO AUTHORIZE ANY ACTIONS TAKEN RELATED TO LEGAL SERVS PRIOR TO FINALIZATION OF CONTRACT RESULTING FR THIS ORD; AMEND APPROP O#50/2019; EMERGENCY (\$25,000.00 INTRA-FUND APPROP TRF FR 4501 207037 38<sup>TH</sup> ST NW IMPROV PROJ - OTHER TO 4501 202001 ENGINEERING ADMIN - OTHER) (FIN & PPCI)

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

- 71/2019 11. 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)
- 72/2019 12. 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)
- 73/2019 13. 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 AREA WATER MAIN REPLACEMENT PROJ - PHASE II - OTHER)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, April 29, 2019 in Council Caucus Room at 6:30 PM**

- 1) Finance Committee
- 2) Judiciary Committee
- 3) Public Safety & Thoroughfares Committee

**MISCELLANEOUS BUSINESS:** President Sherer welcomed the Jackson High School students and thanked them for coming to the meeting.

**QUOTE OF THE WEEK:** *"Be strong, but not rude; be kind, but not weak; be bold, but not bully; be humble, but not timid; be proud, but not arrogant."* - Zig Ziglar

**ADJOURNMENT:** 7:15 P.M.

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, APRIL 29, 2019 @ 7:00 PM**