

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

APRIL 29, 2019

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: President Sherer Absent

INVOCATION: Kevin Hall, Ward 6 Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem Smith

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#9 - O#13)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Erica Watkins said the alley behind her house has become a dumping ground for the neighbors. They've been dumping and burning weeds behind her fence. After speaking with Member Mariol and her Neighborhood Association, she learned that the city owns and should be maintaining that alley. Majority Leader Smith assured her that it would be cleaned up.

INFORMAL RESOLUTIONS:

12. COUNCIL-AS-A-WHOLE: CONGRATULATING THE PHILOMATHEON SOCIETY OF THE BLIND ON THEIR 95TH ANNIVERSARY. - ADOPTED

COMMUNICATIONS:

141. ANNEXATION CHAIRMAN MARIOL: REQ STATEMENT OF SERV FOR TAMSAL & JEL LAUNDRY FULTON DR./BLAKE AVE. NW ANNEXATION (APPROX 1.832 ACRES IN PLAIN TWP); EXPEDITED TYPE 2. - ANNEXATION COMMITTEE
142. COURT ADMIN KOCHERA: REQ \$8,471.50 APPROP TRF FR PERSONNEL - JUSTICE REINVESTMENT-PRETRIAL GRANT FUND #701001-2799 TO OTHER - JUSTICE REINVESTMENT-PRETRIAL GRANT FUND #701001-2799 (OPERATION OF COURT). - FINANCE COMMITTEE
143. LIQUOR CONTROL DIV (OHIO): NOTICE OF HRG ON TRF OF OWNERSHIP APP ON MAY 16, 2019 @ 11:00 A.M. FOR COMMUNITY CONVENIENCE, LLC DBA DUEBER DRIVE THRU (1037 DUEBER AVE SW, PERMIT #1683832, CLASS C-1-2,). - RECEIVED & FILED
144. SAFETY DIRECTOR PERRY: AMEND O#50/2019; EMERGENCY (\$102,500.00 APPROP TRF FR 2160.202210 MAINTENANCE - OTHER TO 2160.101501 CODE ENFORCEMENT ADMINISTRATION - OTHER) (MOWING PROG - BLDG. CODE DEPT.). - FINANCE COMMITTEE
145. SAFETY DIRECTOR PERRY: AMEND O#50/2019; EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001.103001 FIRE ADMIN - OTHER; \$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 6041 MOTOR VEHICLE DEPT DMV TO 6041.103001 FIRE ADMIN - OTHER) (VEHICLE REPAIR COSTS & SUPPLIES - FIRE DEPT.). - FINANCE COMMITTEE
146. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACTS FOR PURCH AND INSTALLATION OF CUBICLES, WORKSTATIONS AND OTHER FURNISHINGS FOR CORNERSTONE GARAGE TENANT SPACE (UTILITY BILLING) RENO; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS FOR PURCH OF ITEMS IN ACCORD WITH PROCUREMENT PROCESS AUTHORIZED BY ORC OR CANTON COD ORD; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
147. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER 1 AND FINAL WITH CENTRAL ALLIED ENTERPRISES IN AMT NOT TO EXCEED \$84,801.02; RETRO AUTHORIZE ACTIONS TAKEN PRIOR TO FINALIZATION OF CHANGE ORDER TO FACILITATE PROJ AND AUTHORIZE AUDITOR TO PAY MORAL OBS; AMEND O#50/2019 (\$84,801.02 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 202001 ENGINEER - ADMINISTRATION); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (2018 PAVING PROG). - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES

COMMUNICATIONS CONTINUED:

148. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR FAIRMOUNT AREA WATER MAIN REPLACEMENT PROJ PHASE I; AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT FOR CONSTRUCTION OVERSIGHT SERVS FOR PROJ; AMEND O#50/2019 (\$2,125,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207045 FAIRMOUNT AREA PHASE 1 WATER MAIN REPLACEMENT - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (FAIRMOUNT AVE TO 30TH ST. & BALDWIN AVE TO FLETCHER AVE.). - ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND APPROP O#50/2019; EMERGENCY (\$21,769.00 APPROP TRF FR 2767 701001 MISDEMEANOR JAIL DIVERSION GRANT - OTHER TO 2767 701001 MISDEMEANOR JAIL DIVERSION GRANT - PERSONNEL)
Referred to Finance Committee
- 1ST RDG 2. AMEND EXHIBIT A OF O#69/2016; EMERGENCY (2-YR NON-EXCLUSIVE AGMTS FOR SPECIFIC ADVERTISING ON DORA OFFICIAL CUP)
Referred to Downtown Development & Judiciary Committees
- 1ST RDG 3. AMEND APPROP O#50/2019; EMERGENCY (\$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 2185 URBAN TIF FUND TO 2185 871001 ONESTO TIF - OTHER - \$30,000.00, TO 2185 871002 INNOVATION DISTRICT TIF - OTHER - \$30,000.00; \$60,000.00 APPROP TRF FR 2185 501001 MAYOR ADMIN - OTHER TO 2185 871001 ONESTO TIF - OTHER - \$30,000.00, TO 2185 871002 INNOVATION DISTRICT TIF - OTHER - \$30,000.00)
Referred to Finance and Community & Economic Development Committees
- 1ST RDG 4. CHANGE NAME OF "MARKET SQUARE" TO "CENTENNIAL PLAZA"; AUTHORIZE MAYOR OR SERV DIR TO: ENTER INTO ANY AND ALL CONTRACT AMEND WITH MKSK FOR DESIGN AND CONSTRUCTION OVERSIGHT; ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACTS NEEDED FOR ALL PHASES OF CENTENNIAL PLAZA (MARKET SQUARE) PROJ; RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN PRIOR TO COMPLETION OF ALL CONTRACTS AND CONTRACT AMEND RESULTING FR ORD AND PAYING ANY AND ALL MORAL OBS RELATED; AUTHORIZE MAYOR OR SERV DIR TO ACCEPT ANY AND ALL OUTSIDE FUNDING AND/OR GIFTS RELATED TO CENTENNIAL PLAZA (MARKET SQUARE) PROJ; AUTHORIZE MAYOR TO ENTER INTO AGMT WITH PROF FOOTBALL HALL OF FAME MUSEUM FOR PROGRAMMING, ETC; AMEND APPROP O#50/2019; EMERGENCY (\$7,409,000.00 SUPP APPROP FR UNAPPROP BAL OF 2175 COMPREHENSIVE PLAN FUND TO 2175 200501 GENERAL GOV'T ADMIN - OTHER)
Referred to Finance & Downtown Development Committees
- 1ST RDG 5. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 9 WITH BEAVER EXCAVATING COMPANY IN AMT NOT TO EXCEED \$109,682.88 FOR 12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJ; AMEND APPROP O#50/2019; EMERGENCY (\$109,682.88 SUPP APPROP FR UNAPPROP BAL OF 4581 12TH ST. NW BRIDG REP STR PROJ FUND TO 4581 202091 12TH ST NW BRIDGE REPL GP 1160 - OTHER)
Referred to Finance & Public Property Capital Improvement Committees
- 1ST RDG 6. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$2,778.00 TO DIANO SUPPLY COMPANY; EMERGENCY (READY MIX CONCRETE)
Referred to Finance Committee
- 1ST RDG 7. RETRO AUTHORIZE ANY ACTIONS TAKEN PRIOR TO ISSUING OF NEW PURCH ORDERS FOR OHIO POWER COMPANY (AEP), AT&T, THE EAST OHIO GAS COMPANY DBA DOMINION ENERGY OHIO (DEO) AND CHARTER COMMUNICATIONS (SPECTRUM) TO FACILITATE MAHONING RD. CORRIDOR PROJ, PHASE 2, G.P. 1103, PID 90365 AND AUTHORIZES THE AUDITOR TO PAY ALL MORAL OBS RELATED TO SAME; EMERGENCY
Referred to Finance Committee
- 1ST RDG 8. AUTHORIZE MAYOR OR SERV DIR TO: EXTEND WATER MAIN ALONG WOODLAND STREET SW IN VILLAGE OF HARTVILLE; ENTER INTO AGMT FOR ANY AND ALL NECESSARY AGMTS, INCLUDING EASEMENT AGMTS, AUTHORIZING MAYOR OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH CT CONSULTANTS, INC. FOR DESIGN OF THE WOODLAND STREET SW WATER MAIN EXTENSION PROJ; AMEND APPROP O#50/2019; EMERGENCY (\$27,390.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207062 WOODLAND STREET SW WATER MAIN EXTENSION FUND - OTHER)
Referred to Environmental & Public Utilities and Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#9- O#13)**

- 2ND RDG 9. 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)
(PS&T)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 10. 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) (PS&T)
- 2ND RDG 11. 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) (PS&T)
- 2ND RDG 12. AMEND APPROP O#50/2019; EMERGENCY (\$25,000.00 APPROP TRF FR 1001 102001 POLICE ADMIN - PERSONNEL TO 1001 102001 POLICE ADMIN - OTHER) (FIN)
- 2ND RDG 13. AMEND SEC 339.02; USE OF LOCAL STREETS; LOCAL PERMIT AND CONDITIONS OF CHAPTER 339, COMMERCIAL HEAVY VEHICLES OF TRAFFIC CODE (JUD)

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

- 74/2019 14. 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
- 75/2019 15. 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
- 76/2019 16. 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)
- 77/2019 17. 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)
- 78/2019 18. 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 38TH 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 38TH ST NW IMPROV PROJ - OTHER TO 4501 202001 ENGINEERING ADMIN - OTHER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, May 13, 2019 in Council Caucus Room at 5:30 PM**

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 3) Environmental & Public Utilities Committee
- 4) Downtown Development Committee
- 5) Public Property Capital Improvement Committee
- 6) Judiciary Committee

TREASURER'S OFFICE/HUNTINGTON BANK PRESENTATION

MISCELLANEOUS BUSINESS: President Pro Tem Smith acknowledged the students from Jackson High School.

QUOTE OF THE WEEK: *"The only reason some people get lost in thought is because it's unfamiliar territory."* - Paul Fix

ADJOURNMENT: 7:20 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MAY 13, 2019 @ 7:00 PM