

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

AUGUST 12, 2019

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Smuckler Absent (Member Smuckler arrived during reading of O#15)

INVOCATION: Greg Hawk, Ward 1 Council Member

PLEDGE OF ALLEGIANCE: President Sherer

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#6; 2nd Rdg O#7 - O#12; O#6 Adopted on 1st Rdg; O#8 Adopted on 2nd Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Patricia Kirk thanked Member Hawk for mentioning the Canton Tower's elevator that broke down 2 weeks ago. The building population has doubled and the 40 year old elevators weren't built for that amount of people, some of whom use wheelchairs. The repairman worked overtime, those waiting in the lobby worked together, someone prepared food for those waiting, the Red Cross dropped off cots and blankets and some tenants helped others up the stairs. The EMS carried four people, one at a time in their chair, up to their floor, as high as ten floors. She said there are still problems, but wanted everyone to know that good things do happen.

INFORMAL RESOLUTIONS:

19. PERSONNEL COMMITTEE: AUTHORIZE APPT OF COUNCIL MEMBER DR. PETER FERGUSON TO COMMUNITY REINVESTMENT AREA HOUSING COUNCIL COMMENCING 8/12/19 THRU COMPLETION OF HIS TERM AS COUNCIL MEMBER. - ADOPTED

COMMUNICATIONS:

254. ANNEXATION CHAIRMAN MARIOL: REQ STATEMENT OF SERV FOR MEADOWLAKE ANNEXATION (APPROX 55.840 ACRES LOCATED IN PLAIN TWP); EXPEDITED TYPE 2 ANNEXATION. - ANNEXATION COMMITTEE
255. DEPUTY MAYOR WILLIAMS: AMEND APPROP O#50/2019 (\$84,940.00 SUPP APPROP FR UNAPPROP BAL OF 2215 FAIR HOUSING ASSISTANCE FUND TO 2215 505010 FAIR HOUSING DEPT - PERSONNEL) (GRANT AWARD FR HUD) - FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
256. DEPUTY MAYOR WILLIAMS: REQ TRF OF PARCEL NUMBERS 280907 AND 218463, NO LONGER NEEDED FOR PUBLIC PURPOSES, TO CCIC FOR SUBSEQUENT TRF TO THE STARK METROPOLITAN HOUSING AUTHORITY. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
257. FINANCE DIRECTOR CROUSE: AUTHORIZE AND DIRECT AUDITOR TO PAY MORAL OBS FOR STARK CO. REGIONAL PLANNING COMM EXPENSES RESULTING PRIOR TO PASSAGE OF ORD; RETRO AUTHORIZE ACTIONS TAKEN TO ENSURE MORAL OBS ARE PAID; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
258. FINANCE DIRECTOR CROUSE: AMEND APPROP O#50/2019 (\$542,382.17 SUPP APPROP FR UNAPPROP BAL OF 1154 HOF VILLAGE PROJECT FUND TO 1154 201001 SERVICE DIRECTOR ADMIN - OTHER) (DEBT INT FOR HOF STADIUM PROJ NOTE); EMERGENCY. - FINANCE COMMITTEE
259. HEALTH COMMISSIONER ADAMS: AMEND APPROP O#50/2019 (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2316 WIC SUPPLEMENTAL HEALTH - FY 77 TO FUND 2316 WIC SUPPLEMENTAL HEALTH - FY 77 - 700 OTHER DIRECT COSTS; \$175,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2314 FAMILY HEALTH (476) TO FUND 2314 FAMILY HEALTH (476) - 700 OTHER DIRECT COSTS; \$60,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2331 - AIR POLLUTION (134) TO FUND 2331 - AIR POLLUTION (134) - 600 PERSONNEL - \$35,000.00, TO FUND 2331 - AIR POLLUTION (134) - 700 OTHER DIRECT COSTS - \$25,000.00; \$65,625.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2318 301001 LOCAL AIDS PREVENTION TO FUND 2318 301001 LOCAL AIDS PREVENTION - 700 OTHER DIRECT COSTS; \$3,000.00 SUPP APPROP FR UNAPPROP BAL OF 2318 301001 LOCAL AIDS PREVENTION - 600 PAYROLL TO 2318 301001 LOCAL AIDS PREVENTION - 700 OTHER DIRECT COSTS). - FINANCE COMMITTEE
260. LIQUOR CONTROL DIV (OHIO): REQ TRF OF D5I PERMIT FROM EL GALERON INC TO SOL RESTAURANT NIGHT CLUB LLC @ 1916 CLEVELAND AVE NW. - RECEIVED & FILED
261. LIQUOR CONTROL DIV (OHIO): REQ NEW D5H PERMIT FOR CANTON SYMPHONY ORCHESTRA ASSOCIATION @ 2331 17TH ST NW 2ND FL. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

262. SAFETY DIRECTOR PERRY: AUTHORIZE AUDITOR TO PAY MORAL OBS ARISING FROM CITYWIDE PHONE UPGRADE; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; AMEND APPROP O#50/2019 (\$21,738.06 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN - OTHER); EMERGENCY. - FINANCE COMMITTEE
263. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER #2 WITH NORTHSTAR ASPHALT, INC. IN AMT OF \$560,140.00 FOR 2019 PAVING PROG G.P. 1301; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER #1 WITH CENTRAL ALLIED ENTERPRISES, INC IN AMT OF \$380,000.00 FOR 2019 STABILIZATION PROJ G.P. 1304; RETRO AUTHORIZE ANY ACTIONS TAKEN PRIOR TO COMPLETION OF TWO (2) CHANGE ORDERS AND AUTHORIZE AUDITOR TO PAY ALL MORAL OBS; AMEND APPROP O#50/2019 (\$350,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 202001 ENGINEERING ADMIN - OTHER; \$65,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 202010 ENGINEER DAILY OPERATIONS - OTHER; \$55,140.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS - OPERATING FUND TO 5201 207001 WATER ADMINISTRATION - OTHER; \$648,672.98 APPROP TRF FR 2175 200501 GENERAL GOVERNMENT SUPPORT ADMIN TO 2175 202001 ENGINEERING ADMINISTRATION - OTHER; \$53,783.82 APPROP TRF FR 2170 200501 GENERAL GOVERNMENT SUPPORT ADMIN TO 2170 202001 ENGINEERING ADMINISTRATION - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
264. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO SETTLEMENT AGMT WITH LOCKHART CONCRETE CO. FOR ALLENFORD DR. WEST SIDE SANITARY SEWER REPAIR AND STREAM BANK STABILIZATION PROJECT, G.P. 1114; AMEND APPROP O#50/2019 (\$350,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206310 ALLENFORD DR SANI SWR REP GP1114 - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. WITHDRAW CANTON'S OBJ TO TRF OF LIQUOR PERMIT LOCATED WITHIN THE CITY; EMERGENCY (#1683832, C-1-2 PERMIT FOR COMMUNITY CONVENIENCE LLC DBA DUEBER DRIVE THRU @ 1037 DUEBER AVE SW, WARD 5)
Referred to Judiciary Committee
- 1ST RDG 2. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACTS FOR CONSTRUCTION SERVS AND PURCH AND INSTALLATION OF EQUIPMENT AND FURNISHINGS NEEDED TO ESTABLISH MEDICAL/DENTAL CLINIC; ALTERNATIVELY ENTER INTO CONTRACTS FOR PURCH OF SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE ALL CONTRACTS NECESSARY TO ENTER INTO LEASE AGMT WITH AN ENTITY TO PROVIDE MEDICAL/DENTAL SERVS AT EDWARD "PEEL" COLEMAN CENTER; AMEND APPROP O#50/2019; EMERGENCY (1,005,000.00 SUPP APPROP FR UNAPPROP BAL OF 2170 NEIGHBORHOOD FUND TO 2170 200501 GENERAL GOV'T SUPPORT ADMIN - OTHER)
Referred to Finance and Community & Economic Development Committees
- 1ST RDG 3. AMEND APPROP O#50/2019; EMERGENCY (\$1,292.00 SUPP APPROP FR UNAPPROP BAL OF 1151 LAND REUTILIZATION AND NOTE FUND TO 1151 101501 CODE ENFORCEMENT ADMIN - OTHER) (DEBT INT FOR MOVING OHIO FORWARD NOTE)
Referred to Finance Committee
- 1ST RDG 4. AMEND APPROP O#50/2019; EMERGENCY (\$134,484.00 SUPP APPROP FR UNAPPROP BAL OF 2658 FY 2016 ASSIST TO FIREFIGHTERS GRANT FUND TO 2658 103001 FIRE ADMIN - OTHER; \$134,484.00 INTERFUND ADV REPAYMENT FR 2658 1030001 FIRE ADMIN - ADV OUT TO 1001 103001 FIRE ADMIN - ADV IN) (GRANT FR DEPT. OF HOMELAND SECURITY)
Referred to Finance Committee
- 1ST RDG 5. APPROVE CANTON CITY WATER MAIN EXTENSION TO SARATOGA HILLS NO. 5; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMTS NECESSARY FOR EXTENSION OF SAID WATER MAIN; EMERGENCY
Referred to Environmental & Public Utilities Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

(COUNCIL RECESSED AT 7:15 PM FOR THE FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES TO DISCUSS O#6; RECONVENED AT 7:16 PM).

- 138/2019** 6. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO SETTLEMENT AGMT WITH LOCKHART CONCRETE CO. FOR ALLENFORD DR. WEST SIDE SANITARY SEWER REPAIR AND STREAM BANK STABILIZATION PROJECT, G.P. 1114; AMEND APPROP O#50/2019; EMERGENCY (\$350,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206310 ALLENFORD DR. SANI SWR REP GP 1114 - OTHER)
Referred to Finance and Environmental & Public Utilities Committees

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#7 - O#12; O#8 ADOPTED)**

- 2ND RDG** 7. AUTHORIZE AUDITOR TO CREATE 7601 HEALTH FUND AND RECLASSIFY HEALTH DEPT REPORTING ACTIVITY FR "GOVERNMENTAL-SPECIAL REVENUE FUND" TYPE CATEGORY TO "FIDUCIARY-AGENCY" TYPE CATEGORY OF REPORTING AND MOVE ALL 2019 ASSOCIATED BUDGET ACTIVITY INTO NEW TYPE CATEGORY; AUTHORIZE ELIMINATION OF CERTAIN HEALTH SPECIAL FUNDS WITH UNEXPENDED BALANCES BY TRANSFERRING REMAINING BALANCE TO NEWLY CREATED 7601 HEALTH FUND WHEN ALL OBS INCURRED AND PAYABLE FR SUCH SPECIAL FUND IS COMPLETE AND FUND IS NO LONGER NECESSARY AS PERMITTED BY ORC SEC 5705.14(D); AUTHORIZE RENAMING OF CERTAIN HEALTH DEPT FUNDS; AUTHORIZE HR DEPT TO RECLASSIFY HEALTH DEPT EMPLOYEES OUT OF GOVERNMENTAL TYPE FUNDS TO NEW FIDUCIARY-AGENCY FUND TYPE CLASSIFICATION; AMEND APPROP O#50/2019; AUTHORIZE EFFECTIVE DATE OF FOREGOING CHANGES; EMERGENCY (\$463,500.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 301001 HEALTH ADMIN - OTHER; \$463,500.00 SUPP APPROP FR UNAPPROP BAL OF 7601 HEALTH FUND TO 7601 301001 HEALTH ADMIN - PAYROLL FOR \$60,500.00, TO 7601 301001 HEALTH ADMIN - OTHER FOR \$185,000.00, TO 7601 303001 NURSES - PAYROLL FOR \$86,000.00, TO 7601 303001 NURSES - OTHER FOR \$10,000.00, TO 7601 304001 LAB - PAYROLL FOR \$35,000.00, TO 7601 304001 LAB - OTHER FOR \$30,000.00, TO 7601 307001 ENVIRONMENTAL HEALTH ADMIN - PAYROLL FOR \$47,000.00 AND TO 7601 301001 ENVIRONMENTAL HEALTH ADMIN - OTHER FOR \$10,000.00; \$463,500.00 INTER-FUND TRF FR 1001 301001 HEALTH - ADMIN - TRF OUT TO 7601 301001 HEALTH ADMIN - TRF IN) (FIN)
- 139/2019** 8. AUTHORIZE MAYOR OR SAF DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY WITH WI-FIBER LLC FOR PURCHASE OF HARDWARE, SOFTWARE, LICENSING; CONFIGURATION, INSTALLATION AND NETWORK ACTIVATION; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY ORC OR CANTON CODIFIED ORD; AND ENTER INTO ALL PROFESSIONAL SERVICES CONTRACTS FOR INSTALLATION OF ABOVE-REFERENCED HARDWARE AND SOFTWARE NEEDED FOR THIS PROJ; AUTHORIZE AUDITOR TO PAY ALL MORAL OBS THAT ARISE WITH THIS PROJ; AMEND APPROP O#50/2019; EMERGENCY (\$180,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN - OTHER) (FIN)
- 2ND RDG** 9. AUTHORIZE AND CONSENT TO SIGN REPLACEMENT ON US 62 FR W. CORP LIMIT TO E. CORP LIMIT, SR-43 FR US-30 TO 17TH ST NE IN CITY OF CANTON; EMERGENCY (ODOT, D04 SIGN FY2021, PID 103277, GP 1310) (PS&T)
- 2ND RDG** 10. AUTHORIZE AND CONSENT TO RESURFACING OF STA US 62 AND SR 687 RAMPS AT I-77 INTERCHANGE IN CITY OF CANTON; EMERGENCY (ODOT, STA-IR77/VAR-11.84/VAR, PID 88936, GP 1309) (PS&T)
- 2ND RDG** 11. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT AND EXECUTE PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; AMEND APPROP O#50/2019; EMERGENCY (\$645,600.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207062 WOODLAND ST SW WATER MAIN EXTENSION PROJ - OTHER) (E&PU AND FIN)
- 2ND RDG** 12. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$4,487.12 TO DELL MARKETING LP; EMERGENCY (AUTOMATIC METER READING DATA COLLECTION UNITS) (FIN)

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

- 140/2019** 13. AUTHORIZE MAYOR TO ENTER INTO ENTERPRISE ZONE AGMT WITH HALL OF FAME VILLAGE II, LLC TO PROVIDE REAL PROP TAX EXEMPTION; AUTHORIZE AUDITOR TO MAKE PAYMENTS TO CANTON CITY SCHOOL BOE AS REQUIRED PURSUANT TO SEC 5709.82(C) OF REVISED CODE; EMERGENCY (75% FOR 15 YRS)
- 141/2019** 14. AMEND APPROP O#50/2019; EMERGENCY (\$16,981.76 APPROP TRF FR 1001 104040 TRAFFIC ENG/PARKING METER - PERSONNEL TO 1001 104040 TRAFFIC ENG/PARKING METER - OTHER)
- 142/2019** 15. AMEND APPROP O#50/2019 (\$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 2190 HOFV FUND TO 2190 861101 HOFV - TOURISM DEVELOP DISTRICT - OTHER)
- 143/2019** 16. ADOPT CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING 12/31/20; EMERGENCY
- 144/2019** 17. AUTHORIZE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF VARIOUS COMPONENT CODES OF CODIFIED ORDINANCES OF CANTON, OHIO; EMERGENCY

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

- 145/2019** 18. AUTHORIZE LAW DIR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF THE 2019 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR SALE OF SAME; EMERGENCY
- 146/2019** 19. AMEND CHAPTER 515, FAIR HOUSING OF CODIFIED ORDINANCES OF CITY OF CANTON
- 147/2019** 20. APPROVE AND ADOPT EXTENSION OF ALTERNATIVE METHOD FOR APPORTIONING THE STARK CO. UNDIVIDED LOCAL GOVERNMENT FUND FOR 2020 THRU 2022; AUTHORIZE MAYOR TO EXECUTE SAID AGMT; EMERGENCY
- 148/2019** 21. APPROVE AND ACCEPT REPLAT OF ALL OF LOTS 9751 AND 9752; EMERGENCY (PARCELS 202499, 208554, 234557 & 245789 @ 2306 TUSC ST W FOR TB-TUSC LLC, WARD 3)
- 149/2019** 22. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT/MODIFICATION IN ESTIMATED AMT OF \$268,760.00 WITH AECOM TECHNICAL SERVICES, INC. FOR ENGINEERING SERVICES RELATED TO 11TH STREET SE INTERSECTION AND ROADWAY IMPROVEMENT PROJ, PID 90465, G.P. 1144; RETRO AUTHORIZE ACTIONS TAKEN PRIOR TO FINALIZATION OF AMENDMENT/MODIFICATION TO FACILITATE PROJ AND AUTHORIZE AUDITOR TO PAY ALL MORAL OBS RELATED TO SAME; AMEND APPROP O#50/2019; EMERGENCY (\$107,760.00 SUPP APPROP FR UNAPPROP BAL OF 4568 11TH ST IMPROV PROJ GP 1144 FUND TO 4568 202095 11TH ST. IMPROV PROJ GP 1144 - OTHER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, August 26, 2019 in Council Caucus Room at 6:00 PM**

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 3) Environmental & Public Utilities Committee
- 4) Judiciary Committee

**Census Bureau Presentation
Executive Session**

MISCELLANEOUS BUSINESS: Member Hawk mentioned the online petition signed by approximately 800 people regarding the condition of the Canton Inn. He talked about the deplorable condition it's in and hopes work will be done soon to clean it up. President Sherer agreed that something needs to be done. President Sherer also welcomed the new Ward 2 Councilwoman, Brenda Kimbrough. Member Smith wished Kevin Hall a happy birthday. Member Hall said that he has a few book bags for any child that needs one. Clerk Dougherty mentioned that tomorrow is "Left-Handers Day" for all great left-handers!

QUOTE OF THE WEEK: *What I explain to people is, we're doing the #El Paso Challenge and we challenge everyone to do 22 acts of good deeds in honor of the 22 people who were killed. The man who did that was full of hate but we want to show everyone that El Pasoans are innocent and they really are kind. It's been great knowing everyone can help. The most important thing is for people to be kind all day, every day, all night, every night.* - 11 year old El Paso boy Ruben Martinez

ADJOURNMENT: 7:40 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 26, 2019 @ 7:00 PM