

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

OCTOBER 28, 2019

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Hawk Absent

INVOCATION: Chris Smith, Ward 4 Council Member

PLEDGE OF ALLEGIANCE: President Sherer

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#12 - O#14; 2nd Rdg O#15 - O#17; O#12, O#13, and O#14 adopted on 1st Rdg; O#17 adopted as amended on 2nd Rdg; O#19 adopted as amended)

PUBLIC HEARINGS:

7:00 PM AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE TAMSAL & JELL LAUNDRY-FULTON DR./BLAKE AVE. NW ANNEXATION AREA CONTAINING APPROXIMATELY 1.832 ACRES; ASSIGNING SAID TERRITORY TO WARD 7 OF THE CITY; ZONING SAID TERRITORY AS B-3 (GENERAL BUSINESS); AND DECLARING THE SAME TO BE AN EMERGENCY (NO SPEAKERS)

O#208/2019

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Pete DiGiacomo spoke about HOF wanting a loan of \$3.5 million and wonders when the city of Canton will stop giving to the HOF. He thinks the HOF should go through normal loan procedures or get the money from the football players. Christine Each expressed her disappointment in the Administration and Safety Dept. for no longer using her Canton store to get their uniforms. She said that the new hires are being forced to get their uniforms from an Akron store, which means Akron is getting tax dollars that should be going to Canton and she wants to know why. John Age thanked Council and Administration for the work they're doing, in conjunction with the HOF, on the McKinley Grand Hotel. He also congratulated Elec Simon on receiving the T.O.Y.A. Award and also congratulated others in the audience for making the community great.

INFORMAL RESOLUTIONS:

34. COUNCIL-AS-A-WHOLE: RECOGNIZING AND CONGRATULATING ELEC SIMON FOR HIS DEDICATION TO COMMUNITY AND RECEIVING THE JCI USA T.O.Y.A. AWARD. - ADOPTED
35. MAJORITY LEADER SMITH: AUTHORIZE SERV DIR TO OPEN ONE OR MORE PURCH ORDERS IN AMT NOT TO EXCEED \$49,864.30 TO WENGER EXCAVATING, INC. FOR REPAIRS (SANITARY SEWER LINE ALONG HENRY AVE. SW). - ADOPTED

COMMUNICATIONS:

361. OWNER, SHERRY TOTH, INC.: REQ AUTHORIZATION FOR ZONE CHANGE LOCATED AT 1250 BEDFORD AVE. SW, (PARCELS 200589 - 200597, 242483, 242485, WARD 5). - PLANNING COMMISSION
362. SERVICE DIRECTOR HIGHMAN: REQ INFORMAL RESOLUTION AUTHORIZING SERV DIR TO OPEN ONE OR MORE PURCH ORDERS IN AMT NOT TO EXCEED \$49,864.30 TO WENGER EXCAVATING, INC. FOR REPAIRS (SANITARY SEWER ON HENRY AVE. SW FR NAVARRE RD SW TO GAYLE PL. SW). - RECEIVED & FILED
363. SERVICE DIRECTOR HIGHMAN: RETRO AUTHORIZE ACTIONS TAKEN IN REGARDS TO CHANGE ORDER #1 WITH MICHAEL BAKER, JR., INC. FOR CONSTRUCTION ADMIN AND OVERSIGHT SERVS RELATED TO MAHONING ROADS CORRIDOR PROJ, PHASE 2, GP 1103 AND DIRECT AUDITOR TO PAY ALL MORAL OBS; AMEND O#50/2019 AS AMENDED (\$95,687.20 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING ROAD CORRIDOR PRJ GP 1103 FUND TO 4566 202079 MAHONING ROAD CORRIDOR PROJECT - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
364. TREASURER PEREZ: RPT OF PARKING METER REV FOR SEPT. 2019. - RECEIVED & FILED
365. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX FOR SEPT. 2019. - RECEIVED & FILED
366. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 9/30/19. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND APPROP O#50/2019; EMERGENCY (\$160,000.00 SUPP APPROP FR UNAPPROP BAL OF 6023 COMPENSATED ABSENCES CLAIM FUND TO 6023 801001 AUDITOR - PERSONNEL)
Referred to Finance Committee
- 1ST RDG 2. AUTHORIZE AUDITOR TO ESTABLISH AND CREATE 1157 MCKINLEY GRAND HOTEL PROJECT FUND; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO NECESSARY AGMTS FOR ISSUANCE AND PAYBACK OF \$3,500,000.00 LOAN FOR PURCH AND RENOVATION OF MCKINLEY GRAND HOTEL; AMEND APPROP O#50/2019; EMERGENCY (\$3,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 1157 MCKINLEY GRAND HOTEL FUND TO 1157 201001 SERVICE DIRECTOR ADMIN - OTHER)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 3. APPROVE AND ACCEPT REPLAT OF ALL OF LOTS 4934 AND 4935; EMERGENCY (646 GARFIELD AVE SW, PARCELS 208440, 229367 & 218117, FOR STEVEN E. BAIZE, WARD 5)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 4. APPROVE AND ACCEPT REPLAT OF PART OF LOT 878; EMERGENCY (1450 HOUSEL AVE SE, PARCELS 201295 & 220027, FOR HABITAT FOR HUMANITY, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 5. APPROVE AND ACCEPT REPLAT OF PART OF LOTS 1916 AND 1917; EMERGENCY (1412 SYCAMORE AVE SE, PARCEL 244669, FOR HABITAT FOR HUMANITY, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 6. APPROVE AND ACCEPT REPLAT OF ALL OF LOTS 24399, 24400, 24403 AND 24404; EMERGENCY (2400 BLOCK OF 21ST ST NE, PARCELS 204172, 204173, 204174 & 204175, FOR HABITAT FOR HUMANITY, WARD 6)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 7. APPROVE AND ACCEPT REPLAT OF PART OF LOT 2801 AND ALL OF LOT 2802; EMERGENCY (1400 BLOCK OF WILLET AVE SE, PARCELS 216172 & 216173, FOR HABITAT FOR HUMANITY, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 8. APPROVE AND ACCEPT REPLAT OF ALL OF LOTS 43392, 43393 AND 43394; EMERGENCY (3000 BLOCK OF RICHMOND AVE NE FOR ONE RICHMOND AVE CO LLC, WARD 6)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 9. APPROVE AND ACCEPT REPLAT OF PART OF OUT LOT 239; EMERGENCY (1120 15TH ST NW, PARCEL 280008, FOR CANTON COMMUNITY IMPROVEMENT CORP, WARD 1)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 10. AMEND EXHIBIT A TO ORDINANCE #68/2019, AS AMENDED, CLASSIFICATION PLAN FOR NON-BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY
Referred to Personnel Committee
- 1ST RDG 11. AMEND O#100/2011, AS AMENDED, TO ESTABLISH ATTACHED EXHIBIT AS CLASSIFICATION PLAN FOR SERV DIR'S WATER CONSTRUCTION, REPAIR, MAINT, SUPPLY AND TREATMENT DIVISION (WATER DEPT) MGT AND NON-BARGAINING PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY
Referred to Personnel Committee

(COUNCIL RECESSED AT 7:22 PM FOR THE ANNEXATION COMMITTEE TO DISCUSS O#12; RECONVENED AT 7:23PM)

- 204/2019 12. APPROVING STATEMENT OF SERVS BE PROVIDED TO PROP OWNER IN CENTRAL ALLIED-COLUMBUS RD NE ANNEXATION AREA, APPROXIMATE DATE SERVS WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY OF CANTON, EMERGENCY
Referred to Annexation Committee

(COUNCIL RECESSED AT 7:23 PM FOR THE FINANCE COMMITTEE TO DISCUSS O#13; RECONVENED AT 7:24 PM)

- 205/2019 13. AMEND APPROP O#50/2019; EMERGENCY (\$2,000.00 APPROP TRF FR 2312 301001 STD CONTROL PROGRAM - 600 PAYROLL TO 2312 301001 STD CONTROL PROGRAM - 700 OTHER; \$18,000.00 APPROP TRF FR 2319 301001 EARLY INTERVENTION SERVICES - 600 PAYROLL TO 2319 301001 EARLY INTERVENTION SERVICES - 700 OTHER)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:24 PM FOR THE FINANCE & PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES TO DISCUSS O#14; RECONVENED AT 7:26 PM)

- 206/2019 14. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ONE OR MORE AGMTS TO SETTLE LITIGATION IN AMT NOT TO EXCEED \$120,000.00 REGARDING 38TH ST. NW WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJECT; RETRO AUTHORIZE ACTIONS TAKEN PRIOR TO COMPLETION OF SETTLEMENT AGMT(S); AUTHORIZE AUDITOR TO PAY ALL MORAL OBS RELATED TO SAME; AMEND APPROP O#50/2019; EMERGENCY (\$65,760.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND, \$50,160.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS FUND, \$4,080.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 1001 207037 38TH ST. NW IMPROV PROJ - OTHER - \$65,760.00, TO 5201 207037 38TH ST. NW IMPROV PROJ - OTHER - \$50,160.00, TO 5410 207037 38TH ST. NW IMPROV PROJ - OTHER - \$4,080.00)
Referred to Finance and Public Property Capital Improvement Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

(SUSPENDED RULE 22A TO ADD O#15 - O#17; O#17 ADOPTED AS AMENDED)

- 2ND RDG 15. AUTHORIZE MAYOR OR SAF DIR TO: ENTER INTO AGMT FOR AND ACCEPT \$31,000.00 IN GRANT FUNDS FR OH OFFICE OF CRIMINAL JUSTICE SERVS FOR 2018 PROJ SAFE NEIGHBORHOOD GRANT AND ENTER INTO CONTRACT FOR PURCH OF CAMERAS AND HARDWARE TO BE TIED INTO CITY'S EMERGING WI-FIBER NETWORK; AMEND APPROP O#50/2019; EMERGENCY (FIN)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 16. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR PURCH OF ONE (1) COMBINATION SEWER CLEANER, ONE (1) TRUCK CAB AND CHASSIS, ONE (1) TRACK-MOUNTED SEWER CLEANER AND ONE (1) TRACK LOADER; OR TO ALTERNATIVELY PURCH SAID EQUIP PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND TO TRADE IN ONE (1) S300 BOBCAT SKID LOADER AND ONE (1) BOBCAT 24-IN WHEEL SAW TOWARDS SAID PURCH; EMERGENCY (FIN AND PPCI)

AMENDED AS

- 207/2019 17. AMEND EXHIBIT A TO O#68/2019, AS AMENDED, CLASSIFICATION PLAN FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (PERS)

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

- 208/2019 18. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS TAMSAL & JEL LAUNDRY-FULTON DR./BLAKE AVE. NW CONTAINING APPROX 1.832 ACRES, ASSIGN TERRITORY AS B-3 GENERAL BUSINESS; WARD 7; EMERGENCY **PUB HRG 10/28/19 @ 7:00 PM**

AMENDED AS

- 209/2019 19. AUTHORIZE MAYOR OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF TABLETS, RELATED WARRANTIES AND ACCESSORIES FOR POLICE DEPT; ALTERNATIVELY PURCH SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTH BY LAW; AUTH AUDITOR TO RENAME 2771 FY 2012 LOCAL SOLICITATION BYRNE GRANT FUND TO 2771 FY 2019 EDWARD BYRNE MEMORIAL GRANT FUND; AMEND APPROP O#50/2019; EMERGENCY (\$37,826.50 SUPP APPROP FR UNAPPROP BAL OF 2771 FY 2019 EDWARD BYRNE MEMORIAL GRANT FUND TO 2771 102001 POLICE ADMIN - OTHER)

- 210/2019 20. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO AGMT FOR AND ACCEPT \$12,639.61 IN GRANT FUNDS FR OFFICE OF JUSTICE PROG, BUREAU OF JUSTICE ASSISTANCE; AUTH AUDITOR TO RENAME 2780 BYRNE MEMORIAL 2009 RECOVERY STIMULUS ACT GRANT FUND TO 2780 FY 2019 BULLETPROOF VEST PARTNERSHIP FUND; AUTH MAYOR OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF NATIONAL INSTITUTE OF JUSTICE COMPLIANT ARMORED VESTS FOR POLICE DEPT; ALTERNATIVELY PURCH SAID ITEMS IN ACCORD WITH ORC OR CANTON COD ORD; AMEND APPROP O#50/2019; EMERGENCY (\$12,639.61 SUPP APPROP FR UNAPPROP BAL OF 2780 FY 2019 BULLETPROOF VEST FUND TO 2780 102001 POLICE ADMINISTRATIVE - OTHER; \$12,639.61 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102001 POLICE ADMINISTRATIVE - OTHER; \$12,639.61 INTER-FUND TRF FR 1001 102001 POLICE ADMINISTRATIVE - TRF OUT TO 2780 102001 POLICE ADMINISTRATIVE - TRF IN)

- 211/2019 21. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT; ENTER INTO AGMTS FOR AND RECEIVE GRANT FUNDS IN AMT OF \$753,329.00 AND LOAN FUNDS IN AMT OF \$322,855.00 FOR 49TH ST. NW STORM SEWER REHAB PROJ, GP 1289; AUTH AUDITOR TO ESTABLISH 4589 49TH ST. NW STORM SEWER REHAB PROJ, GP 1289 FUND; AMEND APPROP O#50/2019; EMERGENCY (\$1,076,184.00 SUPP APPROP FR UNAPPROP BAL OF 4589 49TH ST. NW STORM SEWER REHAB PROJECT, GP 1289 FUND TO 4589 202055 49TH ST. NW STORM SEWER REHAB PROJECT, GP 1289 - OTHER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, November 18, 2019 in Council Caucus Room at 6:15 PM**

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

MISCELLANEOUS BUSINESS: Member Scaglione said that City Hall was nicely decorated for the McKinley vs. Massillon football game and wishes the players success. He said that Lowe's will be doing some work in the community through their Lowe's Heroes Program and thanked everyone for their support. Mayor Bernabei reminded everyone that this is McKinley/Massillon week and that this is the 130th meeting of the two schools. He also announced that there will be a parade on Friday night starting at 5:30 at Central Plaza North, proceeding to the Cultural Center. The pep rally will take place at the Cultural Center. The Mayor urged everyone to support both teams! Member Morris thanked the Law Dept. on behalf of himself, Member Mariol and members of the Vassar Park Neighborhood Association. A landlord in Ward 9 wanted to turn a 4-Unit Quad, that sat vacant for approximately one year, into a Multi-Unit structure. They met with the Zoning Board and expressed their concerns and they found out today, that although the landlord appealed it, the ruling was in favor of the City of Canton and the unit will stay a single family dwelling. Member Smith urged all Council Members to walk in the parade on Friday and to wear red and black. She also invited everyone to attend the McKinley Breakfast hosted by the Juneites on Saturday morning at 9:00 at the Nazir Grotto. President Sherer congratulated the Health and Code Departments along with Safety Director Perry, for helping the Iron Workers with an issue while cleaning up a neighborhood.

QUOTE OF THE WEEK: *"Being President is like running a cemetery: you've got a lot of people under you and nobody's listening."* - Bill Clinton

ADJOURNMENT: 7:47 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, NOVEMBER 18, 2019 @ 7:00 PM