

**FINAL**  
**AGENDA**  
7:00 PM

CANTON CITY COUNCIL

MARCH 9, 2020

**ROLL CALL:** Nine Members Present

**MOTION TO EXCUSE MEMBERS:** Members Smith, Ferguson & Morris Absent

**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#14)

**PUBLIC HEARINGS:**

7:00 PM AN ORDINANCE AMENDING O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; LOCATED AT 1250 BEDFORD AVE SW (PARCELS 200589-200597, 242483 AND 242485) FROM I-1 (LIGHT INDUSTRIAL) TO PI-2 (PLANNED HEAVY INDUSTRIAL), WARD 5; PLANNING COMMISSION RECOMMENDS DENIAL (ONE SPEAKER) **DEFEATED**

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

**PUBLIC SPEAKS (CITY BUSINESS):** Kim Bell stated that she originally came to Council because of the shooting and killing of young black men and women. As a result of asking for help, she has been cussed at by a Council Member, lied to and kicked out of City Hall for 30 days. She distributed a sheet of paper regarding recent killings in Canton this past week. She feels this could have been prevented if Council would have helped her in the beginning. She said she will drop the lawsuit against the City because she can't win.

**INFORMAL RESOLUTIONS:** None

**COMMUNICATIONS:**

99. AUDITOR MALLONN: WITHDRAW COM #90 FR 3/2/20 AGENDA. - RECEIVED & FILED
100. AUDITOR MALLONN: REQ LEGISLATION FOR RE-ISSUANCE AND SALE OF GENERAL OB BUILDING IMPROVEMENT BOND ANTICIPATION NOTE IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$3,400,000.00 (EXPIRING NOTE APPV'D VIA O#41/2019, PAYMENT DUE 4/9/20, FUND 4504). - FINANCE COMMITTEE
101. DEPT OF COMMERCE (OHIO): NOTICE OF HRG ON 2020-2021 LIQUOR PERMIT RENEWAL APP FOR CANTON NEGRO OLD TIMERS ATHLETIC ASSOC, DBA OLD TIMERS ACTIVITY CTR AT 1016 12<sup>TH</sup> ST NE, 1<sup>ST</sup> FL ONLY, SET FOR FRI, APRIL 3, 2020 AT 9:30 AM AT STARK CO DEPT OF JOB AND FAMILY SERVS. - RECEIVED & FILED
102. DEPT OF COMMERCE (OHIO): NOTICE OF HRG ON 2020-2021 LIQUOR PERMIT RENEWAL APP FOR MARK & FRANCES MILLS, DBA MILLS PL AT 3357 MAHONING RD NE, 1<sup>ST</sup> FL & PATIO, SET FOR FRI, APRIL 3, 2020 AT 11:00 AM AT STARK CO DEPT OF JOB AND FAMILY SERVS. - RECEIVED & FILED
103. DEPT OF COMMERCE (OHIO): NOTICE OF HRG ON TRF OF C-1-2 LIQUOR PERMIT FOR 12<sup>TH</sup> ST MARKET, LLC, DBA 12<sup>TH</sup> ST MARKET AT 1100 12<sup>TH</sup> ST NW, SET FOR FRI, APRIL 3, 2020 AT 1:00 PM AT STARK CO DEPT OF JOB AND FAMILY SERVS. - RECEIVED & FILED
104. DEPUTY MAYOR WILLIAMS: REQ AMENDMENT TO CDBG PORTION OF SEC 5 OF O#95/2019 TO REFLECT INCREASE IN CARRYOVER FUNDS RECAPTURED FR PROGRAMS THAT DID NOT MOVE FWD OR DID NOT EXPEND ALL FUNDS (2019 PROGRAM YR BUDGET TO HUD, TOTAL ORIG REQ \$2,936,977.00, TOTAL AMENDED REQ \$3,506,002.00). - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES

**COMMUNICATIONS CONTINUED:**

105. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR TO SUBMIT CITY'S 2020 ANNUAL ACTION PLAN TO HUD AND TO ACCEPT AND EXECUTE AGMTS WITH HUD FOR 2020 PROG YR; AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF CDBG PROG FUNDS (NO SINGLE AWARD TO EXCEED \$500,000 FOR CD ELIGIBLE ACTIVITIES BENEFITING LOW AND MODERATE INCOME FAMILIES); AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF ESG PROG FUNDS (NO SINGLE AWARD TO EXCEED \$200,000 FOR HOMELESS PREVENTION ACTIVITIES BENEFITING VERY LOW INCOME FAMILIES); AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF HOME PROG FUNDS (NO SINGLE AWARD TO EXCEED \$500,000 FOR HOUSING ACTIVITIES BENEFITING LOW AND MODERATE INCOME FAMILIES; REQ \$530,000.00 SUPP APPROP FR UNAPPROP BAL OF 2214 HOME FUND TO 2211 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER AND \$227,312.00 UNAPPROP BAL OF 2219 EMERGENCY SHELTER GRANT FUND TO 2214 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; AUTHORIZE AND DIRECT AUDITOR TO REVISE BUDGETS AS PERMITTED BY CDBG REGS, HOME PROG REGS AND ESG GRANT REGS, UTILIZE ESTABLISHED FUND ACCTS KNOWN AS CDBG, HOME AND ESG AND DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
106. MEMBER SMITH, WARD 4: REQ RENAMING OF RIVERSIDE DR NE FR TUSC ST NE TO 6<sup>TH</sup> ST NE TO "BETTY BELLE WAY" NE. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
107. SERVICE DIRECTOR HIGHMAN: AUTHORIZE AND DIRECT AUDITOR TO PAY WENGER EXCAVATING, INC. ANY AND ALL MORAL OBS RELATED TO CHANGE OF FUNDING SOURCES FOR RIDGEWOOD EAST PHASE I, PART I WATER MAIN REPLACEMENT PROJ AND RIDGEWOOD EAST PHASE 1, PART 2 (22<sup>ND</sup>/24<sup>TH</sup> NE) ROADWAY RECONSTRUCTION PROJ, GP 1123 - FINAL CHANGE ORDER; RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN PRIOR TO PASSAGE OF RESULTING ORD RELATED TO SAME; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
108. SERVICE DIRECTOR HIGHMAN: AUTHORIZE SERV DIR AND CANTON PARK COMMISSION TO TRADE IN 2002 MODEL BOBCAT 341 D TOWARDS PURCH OF NEW BOBCAT COMPACT EXCAVATOR UTILIZING ANY APPLICABLE COOP PURCH PROG; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (PARKS & REC DEPT). - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
109. SERVICE DIRECTOR HIGHMAN: AUTHORIZE AND DIRECT AUDITOR TO PAY MORAL OB TO STARK CO LAND REUTILIZATION CORP (SCLRC) IN AMT OF \$76,251.19 (NIP PHASE III DEMOS); REQ \$76,251.19 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 200501 GENERAL GOVERNMENT SUPPORT ADMIN; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
110. SERVICE DIRECTOR HIGHMAN SAFETY DIRECTOR PERRY: RATIFY TENTATIVE AGMT BETWEEN CITY OF CANTON AND AFSCME LOCAL 2937; EMERGENCY (EFFECTIVE TO 12/31/21). - FINANCE AND PERSONNEL COMMITTEES

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

- 1<sup>ST</sup> RDG 1. PROVIDE FOR ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN MAX AGGREGATE PRINCIPAL AMT OF NOT TO EXCEED \$3,750.000 TO PROVIDE FUNDS TO PAY PORTION OF COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING, FURNISHING OR EQUIPPING ECONOMIC DEVELOPMENT PROJ IN CITY; AUTHORIZE RELATED MATTERS; EMERGENCY (EXPIRING NOTE APPV'D VIA O#40/2019, PAYMENT DUE 4/9/20, FUND 1154)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 2. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$3,400.000 FOR PURPOSE OF PAYING COST OF ACQUIRING, CONSTRUCTING, RECONSTRUCTING AND IMPROVING CITY BLDGS, INCLUDING WITHOUT LIMITATION, REPLACEMENT OF CITY HALL ROOF, CIVIC CTR ROOF AND IMPROVEMENTS TO OTHER CITY FACILITIES (EXPIRING NOTE APPV'D VIA O#41/2019, PAYMENT DUE 4/9/20, FUND 4504)  
Referred to Finance Committee

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

- 1<sup>ST</sup> RDG 3. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$800,000 FOR PURPOSE OF PROVIDING FUNDS TO PAY COURT-APPROVED SETTLEMENT OF CLAIM AGAINST CITY (EXPIRING NOTE APPV'D VIA O#42/2019, PAYMENT DUE 4/9/20, FUND 1105)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 4. PROVIDE FOR ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN MAX AGGREGATE PRINCIPAL AMT OF NOT TO EXCEED \$1,525,000 TO PROVIDE FUNDS TO MAKE LOAN FOR ECONOMIC DEVELOPMENT IN CITY; AUTHORIZE RELATED MATTERS; EMERGENCY (CURRENT NOTE APPV'D VIA O#43/2019 (HERCULES), PAYMENT DUE 4/9/20, FUND 1156)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR PURCH OF ONE (1) 4X4 SHORT BED PICKUP TRUCK, ONE (1) 4X4 PICKUP TRUCK WITH UTILITY BOX, ONE (1) 4X4 LONG BED PICKUP TRUCK, ONE (1) FULL SIZE CARGO VAN AND ONE (1) BACKHOE; OR TO ALTERNATIVELY PURCH SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; EMERGENCY (WATER DEPT)  
Referred to Public Property Capital Improvement & Finance Committees

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:  
(SUSPENDED RULE 22A TO ADD O#6 - O#14)**

- 2<sup>ND</sup> RDG 6. AMEND O#100/2011, AS AMENDED, TO ESTABLISH ATTACHED EXHIBIT AS CLASSIFICATION PLAN FOR AUDITORS OFFICE MGMT AND NON-BARGAINING PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (INCREASE MIN/MAX FOR GRADE 002-SA-SALARY AUDITOR BY 1% FACTOR, ADDT'L \$0.1773 AND \$0.2996 FR CURRENT MIN/MAX AMTS) (PERS & FIN)
- 2<sup>ND</sup> RDG 7. ADOPT 2020 ANNUAL APPROP FOR CITY OF CANTON; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 8. AMEND EXHIBIT A TO O#40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (\$39,000.00 - WITHOUT OPOTA CERT, \$40,000.00 - WITH OPOTA CERT, UNIFORMS PROVIDED UPON HIRE AS DETERMINED BY CHIEF OF POLICE) (PERS & FIN)
- 2<sup>ND</sup> RDG 9. AMEND EXHIBIT A TO O#40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; EMERGENCY (ANY COMBINATION OF INFO CLERKS AND ADMIN CLERKS UP TO TOTAL OF 13 IN POLICE DEPT) (PERS & FIN)
- 2<sup>ND</sup> RDG 10. AUTH AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$9,942.90 TO SUMMIT TESTING & INSPECTION CO.; EMERGENCY (PROF SERVS RENDERED AT CENTENNIAL PLAZA) (FIN)
- 2<sup>ND</sup> RDG 11. AUTH HIRING OF MR. DYLAN PEOPLES, P.E. AS ENGINEER II IN WATER DEPT AT ANNUAL SALARY OF \$72,722.00; EMERGENCY ( 2 WKS VACATION) (PERS & FIN)
- 2<sup>ND</sup> RDG 12. AUTH THE MAYOR OR SERV DIR TO ENTER INTO LEASE AGMT WITH OHIO POWER CO FOR USE OF PARKING LOT @ PARCEL #242262; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 13. AUTH CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR A LIST OF UNPAID AND DELINQUENT CHARGES FOR SERVS PERFORMED BY AND/OR ON BEHALF OF CITY OF CANTON ENGINEERING DEPT, URBAN FORESTRY DIVISION; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 14. AUTH APPROP OFFICIAL(S) TO: PURCH AND/OR LEASE VARIOUS TITLED VEHICLES; ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THOSE PURCH AND PROJ DESCRIBED IN EXHIBIT A EXCEEDING APPLICABLE DOLLAR AMT THRESHOLD(S); ALTERNATIVELY ENTER INTO CONTRACT FOR PURCH AND PROJ PURSUANT TO ANY PROCUREMENT PROCESS AUTH BY LAW; ENTER INTO ALL PROF SERVS CONTRACTS DESCRIBED IN EXHIBIT A; WAIVE INFORMAL RESOLUTION REQUIREMENTS OF CANTON COD ORD 105.09 FOR PURCH APPROVED THROUGH THIS ORD; AMEND APPROP O#246/2019; EMERGENCY (\$1,747,110.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 102001 POLICE ADMIN - OTHER - \$207,500.00, TO 4501 103001 FIRE ADMIN - OTHER - \$150,000.00, TO 4501 202001 ENGINEERING ADMIN - OTHER - \$425,000.00, TO 4501 204010 OTHER BUILDINGS - OTHER - \$474,600.00, TO 4501 208001 MOTOR VEHICLE ADMIN - OTHER - \$61,225.00, TO 4501 301001 HEALTH ADMIN - OTHER - \$133,325.00, TO 4501 501101 HUMAN RESOURCES - OTHER - \$21,835.00, TO 4501 504010 INFORMATIONAL TECHNOLOGY - OTHER - \$150,000.00, TO 4501 701001 COURTS - OTHER - \$70,000.00, TO 4501 753001 LAW ADMIN - OTHER - \$6,900.00, TO 4501 852001 TREASURER ADMIN - OTHER - \$46,725.00; \$1,270,000.00 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 102001 POLICE ADMIN - OTHER - \$295,000.00, TO 4502 103001 FIRE ADMIN - OTHER - \$525,000.00, TO 4502 202001 ENGINEERING ADMIN - OTHER - \$25,000.00, TO 4502 202210 MAINTENANCE - OTHER - \$400,000.00, TO 4502 504010 INFORMATION TECHNOLOGY - OTHER - \$25,000.00) (PPCI & FIN)

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

- DEFEATED** 15. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCELS 200589-200597, 242483 & 242485, 1250 BEDFORD AVE SW FOR RICHARD MARINO ON BEHALF OF SHERRY TOTH, INC. FR I-1, LIGHT INDUSTRIAL TO PI-2, PLANNED HEAVY INDUSTRIAL)

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

- 44/2020** 16. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT OF \$37,007.11 TO STARK CO COMMUNITY ACTION AGENCY FOR WORK PERFORMED AS PART OF YOUTH CAREER EXPLORATION PROG; EMERGENCY
- 45/2020** 17. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH STARK CO, OH AUDITOR AND AUTOMATED DATA PROCESSING BD OF STARK CO, OH FOR GEOGRAPHIC INFO SYSTEMS COORDINATION SERVS; EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:**

**MONDAY, MARCH 16, 2020 in Council Caucus Room at 6:30 PM**

- 1) Finance Committee
- 2) Public Property Capital Improvement Committee

**Executive Session**

**MISCELLANEOUS BUSINESS:** None

**QUOTE OF THE WEEK:** *"Always be nice to your children because they are the ones who will choose your rest home."* -Phyllis Diller

**ADJOURNMENT:** 7:18 PM

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 16, 2020 @ 7:00 PM**