

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

MARCH 8, 2021

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Kevin Hall, Ward 6 Council Member

PLEDGE OF ALLEGIANCE: President Sherer

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#11 and Res#12; 2nd Rdg O#13 - O#21; O#11 and Res#12 Adopted on 1st Rdg; O#20 Adopted on 2nd Rdg; O#21 Adopted as Amended on 2nd Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Jennifer Herning said she's been having issues with her neighbors not keeping their properties clean. She has an in-home business and bugs are coming from their homes to hers. She said the Building Code Dept. hasn't done anything to help her. She also thinks that houses shouldn't be torn down with so many homeless people in the city. Ms. Herning believes landlords are taking advantage of their tenants by raising the rent when the tenants aren't making enough money to cover the increase.

INFORMAL RESOLUTIONS:

4. PERSONNEL COMMITTEE: CONFIRM REAPPT OF PATRICK WYATT TO BOARD OF HEALTH FOR 5-YR TERM COMMENCING 4/1/21 THRU 3/31/26. – ADOPTED
5. PERSONNEL COMMITTEE: CONFIRM APPT OF JANELLE LEE TO TAX INCENTIVE REVIEW BOARD COMMENCING 3/8/21 THRU 12/31/21. - ADOPTED

COMMUNICATIONS:

64. AUDITOR MALLONN: STATEMENT OF CASH POSITION DATED 2/26/21. – RECEIVED & FILED
65. FINANCE DIRECTOR CROUSE: REQ ADOPTION OF GENERAL FUND BUDGET AND APPROPRIATIONS FOR CITY OF CANTON FOR 2021. – FINANCE COMMITTEE
66. LIQUOR CONTROL DIV (OHIO): REQ NEW C1 (PERMIT #2495210) FOR EL MERCADITO OHIO LLC @ 3107 TUSCARAWAS ST W. – RECEIVED & FILED
67. MAYOR BERNABEL: REQ AUTH FOR APPT OF JANELLE LEE TO TAX INCENTIVE REVIEW BOARD COMMENCING 3/8/21 THRU 12/31/21. – PERSONNEL COMMITTEE
68. SAFETY DIRECTOR PERRY: RATIFY ACTIONS TAKEN PRIOR TO PASSAGE OF ORDINANCE PURSUANT TO SEC 105.04 OF COD ORD; AUTH MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACTS TO RESPOND TO EMERGENCY SITUATION; AUTH AND DIRECT AUDITOR TO PAY MORAL OBS RESULTING FR RESPONDING TO EMERGENCY SITUATION; EMERGENCY (701 REX AVE. NE - \$19,035.00). – FINANCE COMMITTEE
69. SAFETY DIRECTOR PERRY: REQ PART-TIME POSITION OF CIVILIAN CRIME ANALYST BECOME FULL-TIME POSITION. – PERSONNEL COMMITTEE
70. SERVICE DIRECTOR HIGHMAN: CERTIFY AMTS INCLUDED IN LIST OF PROPERTIES TO STARK CTY AUDITOR TO BE ENTERED UPON TAX DUPLICATES AS LIENS FOR UNPAID INVOICES TO ENGINEERING DEPT, URBAN FORESTRY DIVISION; AUTHORIZE APPROP OFFICIAL TO DELETE OWNER'S NAME FROM EXHIBIT PRIOR TO CERTIFICATION TO CITY AUDITOR, PROVIDED VERIFICATION BY SERV DIR OF PAYMENT OR THAT AMTS WERE UNJUST OR UNWARRANTED; AUTH MAYOR AND/OR SERV DIR TO WAIVE CERTIFIED LIEN AMTS ONCE PAID OR PROP OWNER PROVIDES SUFFICIENT PROOF THAT LIEN AMTS WERE UNJUST OR UNWARRANTED. – FINANCE COMMITTEE
71. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO DESIGN AND/OR CONSTRUCTION OVERSIGHT CONTRACTS FOR PROJS; TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACTS FOR PROJ; ALTERNATIVELY TO ENTER INTO CONTRACT FOR CONSTRUCTION OF PROJS UTILITIZING ANY PROCESS AUTH BY LAW; TO ENTER INTO CONTRACT FOR PURPOSES OF RECEIVING GRANT FUNDS FOR PROJS; TO ENTER INTO AGMTS NEEDED FOR TIMKEN PL./ CLARK AVE CONNECTOR PROJECT, GP 1313 INCLUDING BUT NOT LIMITED TO WHEELING & LAKE ERIE RAILROAD AND TIMKENSTEEL; TO SECURE ALL EASEMENTS NEEDED FOR PROJS; AUTH MAYOR AND/OR SAF DIR TO PERMANENTLY CLOSE RAILROAD CROSSING @ 19TH ST. SW WEST OF CLEVELAND AVE; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; AUTH AND DIRECT AUDITOR TO PAY MORAL OBS FOR CONTRACT CHANGE ORDER OTHERWISE APPV'D BY BOARD OF CONTROL PURSUANT TO CANTON COD ORD 105.14 WITHIN ESTABLISHED DOLLAR AMT THRESHOLDS FOR PROJS; EMERGENCY (COMP PLAN 2021 CAPITAL IMPROVEMENT PROJECTS). – PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES

COMMUNICATIONS CONTINUED:

72. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH IBI GROUP FOR DESIGN OF PERRY DRIVE NW WATER MAIN REPLACEMENT PROJ; MAKE \$38,445.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207075 PERRY DRIVE NW WATER MAIN REPLACEMENT PROJECT – OTHER; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE COMMITTEE
73. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO EASEMENT AGMT WITH OHIO POWER CO, A UNIT OF AMERICAN ELECTRIC POWER (AEP), FOR INSTALLATION OF ELECTRIC DISTRIBUTION SYSTEM ON/ACROSS CITY PROP; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (NEWTON AVE. SW – CANTON POLICE SURVEILLANCE CAMERA). – ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
74. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 1/31/21. – RECEIVED & FILED
75. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF 1/3/21. – RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTH AUDITOR TO PAY MORAL OBS FOR KEMPTHORN, INC. EXPENSES FOR RENTAL VAN; EMERGENCY (FRESH START PROG)
Referred to Finance Committee
- 1ST RDG 2. AMEND APPROP O#239/2020; EMERGENCY (\$3,650.00 APPROP TRF FR 2760 102001 POLICE ADMIN – OTHER TO 2760 102001 POLICE ADMIN – PAYROLL (OVERTIME FOR FEDERAL FORFEITURE CASES)
Referred to Finance Committee
- 1ST RDG 3. AMEND APPROP O#239/2020; EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207074 SC LAGOON DECHLORINATION BUILDING – OTHER (SUGARCREEK WATER TREATMENT PLANT)
Referred to Finance Committee
- 1ST RDG 4. APPROVE AND ACCEPT REPLAT OF PART OF LOTS 12462 – 12466 AND ALL OF LOTS 41857, 41858 & 41860; EMERGENCY (JEFF MATTINGLY FOR PROP OWNERS @ 2321 CLEVE AVE NW, WARD 7)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 5. AUTH CANTON TO ANNEX TERRITORY KNOWN AS CANTON SERVICE CENTER – 30TH ST NE ANNEXATION AREA CONTAINING APPROX 6.389 ACRES; ASSIGN SAID TERRITORY TO WARD 6; ZONE SAID TERRITORY AS I-1 LIGHT INDUSTRIAL DISTRICT (I-1); EMERGENCY
Referred to Annexation Committee **PUB HRG 4/5/21 @ 7:00 PM**
- 1ST RDG 6. AUTH AUDITOR TO PAY B&H PHOTO VIDEO, LLC MORAL OB IN AMT NOT TO EXCEED \$1,819.79 FOR FIRE DEPT; EMERGENCY (VIDEO EQUIP)
Referred to Finance Committee
- 1ST RDG 7. AUTH MAYOR OR SAF DIR TO: ENTER INTO SOLE SOURCE/PROF SERV CONTRACTS WITH WI-FIBER, LLC FOR ADDT'L CLOUD STORAGE, NOT TO EXCEED \$120,000.00 ANNUALLY; ENTER INTO CONTRACTS NECESSARY IN ACCORD WITH ANY PROCUREMENT PROCESS AUTH BY ORC OR CANTON COD ORD; ENTER INTO PROF SERVS CONTRACTS FOR INSTALLATION OF HARDWARE AND SOFTWARE NEEDED FOR PROJ; AUTH AUDITOR TO PAY MORAL OBS THAT ARISE WITH PROJ; EMERGENCY (WI-FIBER NEIGHBORHOOD CAMERA PROJ, POLICE DEPT)
Referred to Finance Committee
- 1ST RDG 8. AUTH AUDITOR TO PAY MASIMOS AMERICAS, INC MORAL OB IN AMT NOT TO EXCEED \$3,360.00 FOR FIRE DEPT; EMERGENCY (PULSE OXIMETERS)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 9. AUTH APPROPRIATE OFFICIAL(S) TO: PURCH AND/OR LEASE VARIOUS TITLED VEHICLES; ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH AND ANY PROJ DESCRIBED IN EXHIBIT A THAT EXCEED ANY APPLICABLE DOLLAR AMT THRESHOLD(S); ALTERNATIVELY ENTER INTO CONTRACT FOR PURCH AND PROJ PURSUANT TO ANY PROCUREMENT PROCESS AUTH BY LAW; ENTER INTO PROF SERVS CONTRACTS DESCRIBED IN EXHIBIT A; WAIVE INFORMAL RESOLUTION REQUIREMENTS OF CANTON COD ORD 105.09 FOR PURCH APPROVED THROUGH THIS ORDINACE; AMEND 2020 FINAL APPROP ORDINANCE; EMERGENCY (\$2,010,346.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 102001 POLICE ADMIN – OTHER - \$159,651.00, TO 4501 103001 FIRE ADMIN – OTHER - \$475,000.00, TO 4501 103501 CANCOM – OTHER - \$44,255.00, TO 4501 202001 ENGINEERING ADMIN – OTHER - \$150,000.00, TO 4501 202210 STREET MAINTENANCE – OTHER - \$313,625.00, TO 4501 204010 OTHER BUILDINGS – OTHER - \$505,000.00, TO 4501 208001 MOTOR VEHICLE ADMIN – OTHER - \$50,000.00, TO 4501 301001 HEALTH ADMIN – OTHER - \$124,615.00, TO 4501 504010 INFORMATION TECHNOLOGY – OTHER - \$100,000.00, TO 4501 702001 CLERK OF COURTS – OTHER - \$23,000.00, TO 4501 753001 LAW ADMIN – OTHER - \$5,200.00, TO 4501 801001 AUDITOR ADMIN – OTHER - \$15,000.00, TO 4501 852001 TREASURER ADMIN – OTHER - \$45,000.00; \$579,671.00 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 102001 POLICE ADMIN – OTHER - \$286,171.00, TO 4502 103001 FIRE ADMIN – OTHER - \$64,000.00, TO 4502 202001 ENGINEERING ADMIN – OTHER - \$32,000.00, TO 4502 202210 STREET MAINTENANCE – OTHER - \$112,500.00, TO 4502 204010 OTHER BUILDINGS – OTHER - \$70,000.00, TO 4502 301001 HEALTH ADMIN – OTHER - \$15,000.00) (EXHIBIT A ATTACHED)
Referred to Public Property Capital Improvement and Finance Committees
- 1ST RDG 10. AUTH LIGHTING IMPROVEMENTS AT STARK US-30/RAFF/WHIPPLE INTERCHANGES; EMERGENCY (PID 106204, RT 30)
Referred to Public Safety & Thoroughfares and Finance Committees

(COUNCIL RECESSED AT 7:15 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES TO DISCUSS O# 11; RECONVENED AT 7:17)

- 41/2021 11. AUTH MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR SALE OF CITY OWNED REAL PROP, NO LONGER NEEDED FOR MUNICIPAL PURPOSES; LOCATED @ STARK CO. AUDITOR PARCEL #202812 AND ENTER INTO CONTRACTS NECESSARY TO FACILITATE SALE; EMERGENCY
Referred to Public Property Capital Improvement and Finance Committees

(COUNCIL RECESSED AT 7:17 PM FOR THE PUBLIC SAFETY & THOROUGHFARES COMMITTEE TO DISCUSS RES#12; RECONVENED AT 7:18)

- 42/2021 12. RESOLUTION ADOPTING PLANS, AUTH MAYOR OR SERV DIR TO COOPERATE WITH AND REQ DIR OF TRANSPORTATION TO PROCEED WITH PEDESTRIAN SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS, INCLUDING MEDIANS, SIDEWALK, CURB RAMPS, SIGNALS, SIGNAGE AND PAVEMENT MARKINGS, LYING WITHIN CITY OF CANTON; EMERGENCY (PID 113278, GP 1326)
Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#13 – O#21; O#20 ADOPTED; O#21 ADOPTED AS AMENDED)

- 2ND RDG 13. PROVIDE FOR ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$3,250,000.00 TO PROVIDE FUNDS TO PAY PORTION OF COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING, FURNISHING OR EQUIPPING ECONOMIC DEVELOPMENT PROJ IN CITY; AUTH RELATED MATTERS; EMERGENCY (FIN)
- 2ND RDG 14. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$3,300,000.00 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 (FIN AND PPCI)
- 2ND RDG 15. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$700,000.00 FOR PURPOSE OF PROVIDING FUNDS TO PAY COURT APPROVED SETTLEMENT OF CLAIM AGAINST CITY (FIN)
- 2ND RDG 16. PROVIDE FOR ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,325,000.00 TO PROVIDE FUNDS TO MAKE LOAN FOR ECONOMIC DEVELOPMENT IN CITY; AUTH RELATED MATTERS; EMERGENCY (FIN)
- 2ND RDG 17. AUTH AUDITOR TO PAY ALL MORAL OBS FOR ENVIROSERVE, INC. FOR EXPENSES RESULTING PRIOR TO PASSAGE OF THIS ORD; EMERGENCY (ENVIRONMENTAL CLEAN UP IN 2020) (FIN)
- 2ND RDG 18. AUTH MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR PURCH OF ONE (1) FULL SIZE CARGO VAN, ONE (1) 4X4 SUV, ONE (1) SMALL CARGO VAN, ONE (1) 4X4 PICKUP TRUCK, ONE (1) VALVE OPERATOR, ONE (1) MINI EXCAVATOR AND ONE (1) SKID STEER WITH TRAILER; OR TO ALTERNATIVELY PURCH SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; EMERGENCY (WATER DEPT) (FIN AND PPCI)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 19. AUTH AUDITOR TO PAY ALL MORAL OBS FOR CONSTRUCTION SERVICES RELATED TO 44TH ST WATER MAIN REPLACEMENT/ROADWAY RECONSTRUCTION PROJ; EMERGENCY (FIN)
- 43/2021 20. AUTH MAYOR OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT/CHANGE ORDER WITH IBI GROUP IN AMT NOT TO EXCEED \$83,956.00 FOR ENGINEERING SERVICES RELATED TO COLONIAL BLVD RECONSTRUCTION PROJ, PHASE I, GP 1206, PID 111059; AMEND APPROP O#239/2020; EMERGENCY (\$26,500.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS FUND TO 5201 202062 COLONIAL BLVD RECONSTRUCTION PROJECT, GP 1206 – OTHER)
(FIN AND PS&T)

AMENDED AS

- 44/2021 21. AUTH MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER #2 AND FINAL WITH CENTRAL ALLIED ENTERPRISES, INC. IN AMT NOT TO EXCEED \$93,593.67 FOR HARMONT AVE RESURFACING PROJ, GP 1322; AMEND APPROP O#239/2020; EMERGENCY (\$21,890.29 SUPP APPROP FR UNAPPROP BAL OF 4592 HARMONT AVE NE RESURFACING PROJECT, GP 1322 FUND TO 4592 202059 HARMONT AVE NE RESURFACING PROJECT, GP 1322 - OTHER)
(FIN AND PS&T)

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

- 45/2021 22. RESOLUTION WITHDRAWING CANTON'S OBJ TO TRF OF LIQUOR PERMIT LOCATED WITHIN CITY; EMERGENCY (PERMIT #6547855, C-1-2, 12TH STREET MARKET LLC DBA 12TH STREET MARKET @ 1100 12TH STREET NW, WARD 1)
- 46/2021 23. AMEND SEC 1305.01(A), MEMBERS; APPOINTMENT, QUALIFICATIONS AND VACANCY OF CHAPTER 1305, BOARD OF BUILDING APPEALS
- 47/2021 24. AUTH MAYOR, SERV DIR OR DESIGNEE TO APPROPRIATE ESTATE AND/OR INTEREST IN PROPERTIES DESCRIBED IN EXHIBIT A IN FURTHERANCE OF N.E. CANTON INDUSTRIAL PARK PROJ G.P. 1148; AUTH MAYOR, SERV DIR OR DESIGNEE TO MAKE MINISTERIAL CHANGES TO CORRECT PROP OWNER NAMES, PARCEL NUMBERS AND OTHER NUMERICAL DESCRIPTIVE OR TYPO ERRORS; EMERGENCY
- 48/2021 25. AUTH AUDITOR TO PAY VERIZON WIRELESS MORAL OB IN AMT NOT TO EXCEED \$4,434.01 FOR WATER DEPT; EMERGENCY (NOV & DEC ACTIVATION OF CELLPHONES)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, MARCH 22, 2021 in Council Caucus Room @ 6:15 PM**

- 1) Finance Committee
- 2) Public Property Capital Improvement Committee
- 3) Public Safety & Thoroughfares Committee
- 4) Annexation Committee

FINANCE PRESENTATION – MARK CROUSE

MISCELLANEOUS BUSINESS: Majority Leader Smuckler called upon Law Director Aylward, who called an Executive Session to discuss pending litigation. A motion was made and seconded to go into Executive Session and Clerk Dougherty took the roll call. President Sherer asked for the Chamber to be cleared and said there would be no other business addressed.

QUOTE OF THE WEEK: None

ADJOURNMENT: 7:45 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 22, 2021 @ 7:00 PM

Canton City Council Meetings are available for online streaming on Mondays at 7:00 PM, at <https://www.cantonohio.gov/516/City-Council>