

FINAL
A G E N D A
7 :00 PM

CANTON CITY COUNCIL

MARCH 5, 2018

ROLL CALL: Ten Members Present

MOTION TO EXCUSE MEMBERS: Members Mack and Morris Absent

INVOCATION: Jason Scaglione, Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#16 - O#22; O#23 Adopted as Amended)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): None

INFORMAL RESOLUTIONS:

- | | | |
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| 18. | COUNCIL-AS-A-WHOLE: | COMMENDING AND HONORING DET. TERRY MONTER AS 2018 CANTON POLICE OFFICER OF THE YEAR - ADOPTED |
| 19. | COUNCIL-AS-A-WHOLE: | COMMENDING AND HONORING ANDRE HOOKS AS 2018 CRIME PREVENTION CITIZEN OF THE YEAR. - ADOPTED |
| 20. | PERSONNEL COMMITTEE: | CONFIRM RE-APPT OF WILLIAM JONES TO FAIR EMPLOYMENT PRACTICES BOARD FOR 3-YR TERM RETRO FR 1/1/18 - 12/31/20. - ADOPTED |

COMMUNICATIONS:

- | | | |
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| 107. | ANNEXATION CHAIRMAN MARIOL: | REQ STATEMENT OF SERVICES FOR 77 GULLIVERS/2414 FAIRCREST ST SW ANNEXATION IN CANTON TOWNSHIP. - ANNEXATION COMMITTEE |
| 108. | AUDITOR MALLONN: | REQ ADDT'L AMENDED CERT DATED 2/28/18. - RECEIVED & FILED |
| 109. | AUDITOR MALLONN: | MTHLY RPT BY FUND FOR 2/1/18 THRU 2/28/18. - RECEIVED & FILED |
| 110. | AUDITOR MALLONN: | YRLY RPT BY FUND FOR 1/1/18 THRU 2/28/18. - RECEIVED & FILED |
| 111. | AUDITOR MALLONN: | REQ LEG FOR ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTE IN MAXIMUM AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,900,000.00 TO PAY OFF NOTE OBLIGATION DUE 4/17/18 (HERCULES REDEVELOPMENT PROJ). - FINANCE COMMITTEE |
| 112. | COURT ADMINISTRATOR KOCHERA: | WITHDRAWAL OF COM #88 FR 2/26/18 AGENDA. - RECEIVED & FILED |
| 113. | DEPUTY MAYOR WILLIAMS: | AUTHORIZE MAYOR AND/OR SERV DIR TO TRF 0.236 ACRE PORTION OF PERMANENT PARCEL #10002545 @ ALLEN AVE SE TO CCIC FOR SUBSEQUENT TRF TO CANTON SOUTH CAR WASH, INC @ 2624 CLEVELAND AVE SW. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE |
| 114. | ENGINEER CONNER: | LIST OF ADDRESS RANGES FOR MAHONING INDUSTRIAL PARK - 4111 LOUISVILLE STREET N.E. ANNEXATION. - RECEIVED & FILED |
| 115. | ENGINEER CONNER: | LIST OF ADDRESS RANGES FOR 4229 4 TH ST N.W. ANNEXATION. - RECEIVED & FILED |
| 116. | LAW DIRECTOR MARTUCCIO: | AUTHORIZE LAW DEPT TO PREPARE AMENDMENTS TO COD ORD REGARDING TRANSIENT LODGING (CHAPTER 759 OF BUSINESS REGULATION CODE AND CHAPTER 185, TRANSIENT LODGING TAX). - JUDICIARY COMMITTEE |
| 117. | MAYOR BERNABEI: | REQ AUTHORIZATION FOR RE-APPT OF BERNADINE SNELL TO BOARD OF HEALTH FOR 5-YR TERM COMMENCING 4/1/18 THRU 3/31/23. - PERSONNEL COMMITTEE |
| 118. | MAYOR BERNABEI: | REQ AUTHORIZATION FOR APPT OF ERNIE SCHOTT TO FAIR HOUSING COMMISSION COMMENCING 3/5/18 THRU 12/31/20. - PERSONNEL COMMITTEE |
| 119. | MAYOR BERNABEI: | REQ AUTHORIZATION FOR RE-APPT OF BRENDA G. TURNER TO PLANNING COMMISSION FOR 6-YR TERM COMMENCING RETRO FR 1/1/18 THRU 12/31/23. - PERSONNEL COMMITTEE |

COMMUNICATIONS CONTINUED:

120. MAYOR BERNABEI: AUTHORIZE ANDREW ROTH A SALARY OF \$75,000.00 AND TEN (10) DAYS VACATION PER YR BEGINNING ON HIRE DATE OF 3/29/18, UNTIL CITY ACCRUED TIME CORRELATES WITH APPLICABLE VACATION SCHEDULE; EMERGENCY (NEW HIRE - DIR. OF PURCHASING). - PERSONNEL COMMITTEE
121. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (TREE PLANTING PROJ, G.P. 1256 - PHASE 2). - FINANCE COMMITTEE
122. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO FINAL PARTICIPATION AGMT FOR STA-62-24.90, PID 96346 PROJ WITH ODOT TO RELOCATE CITY WATER LINES; AUTHORIZE MAYOR AND/OR SERV DIR TO ASSUME AND BEAR 100% OF COSTS OF WATER LINE CONSTRUCTION; AUTHORIZE AND DIRECT AUDITOR TO PAY ANY AND ALL MORAL OBS RESULTING FROM HIGHER BID COSTS/NECESSARY CHANGE ORDERS ENCOUNTERED BY ODOT DURING PROJ; MAKE \$450,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING FUND TO 5201 207022 DISTRIBUTION MAINTENANCE - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES
123. TREASURER PEREZ: RPT OF CITY'S OUTSTANDING INVESTMENT & BANK RECONCILIATIONS AS OF 1/31/18. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. APPROVE STATEMENT OF SERVICES BE PROVIDED TO PROP OWNER IN 44TH ST NE ANNEXATION AREA, APPROX DATE SERV WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY OF CANTON; EMERGENCY
Referred to Annexation Committee
- 1ST RDG 2. PROVIDE FOR ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$4,750,000.00 TO PROVIDE FUNDS TO PAY PORTION OF COSTS ACQUIRING, CONSTRUCTING, IMPROVING, FURNISHING OR EQUIPPING ECONOMIC DEV PROJ IN THE CITY; AUTHORIZE RELATED MATTERS; EMERGENCY
Referred to Finance Committee
- 1ST RDG 3. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$3,500,000.00 FOR PURPOSE OF PAYING COSTS OF ACQUIRING, CONSTRUCTING, RECONSTRUCTING AND IMPROVING CITY BLDGS, INCLUDING, WITHOUT LIMITATIONS, REPLACEMENT OF CITY HALL ROOF, CIVIC CENTER ROOF AND IMPROVEMENTS TO OTHER CITY FACILITIES
Referred to Finance Committee
- 1ST RDG 4. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,000,000.00 FOR PURPOSE OF PROVIDING FUNDS TO PAY COURT-APPROVED SETTLEMENT OF CLAIM AGAINST THE CITY
Referred to Finance Committee
- 1ST RDG 5. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,050,000.00 FOR PURPOSE OF PAYING COSTS OF REVITALIZATION WITHIN THE CITY AND ADDRESSING PROP CONDITIONS DELETERIOUS TO PUBLIC HEALTH AND SAFETY THRU DEMO OF DETERIORATING STRUCTURES AND IMPROVEMENT OF THOSE SITES, ENABLING USE OR REUSE OF LANDS WITHIN THE CITY
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$6,373.94 TO HUNTINGTON NATIONAL BANK; EMERGENCY (2017 BANK FEES)
Referred to Finance Committee
- 1ST RDG 7. ADOPT 2018 ANNUAL APPROP FOR CITY OF CANTON; EMERGENCY (GENERAL FUND BUDGET)
Referred to Finance Committee
- 1ST RDG 8. AMEND CHAPTER 1123, DEFINITIONS OF TITLE FIVE AND AMEND CHAPTER 1141, R-4 MULTI-FAMILY RESIDENTIAL DISTRICT OF TITLE SEVEN OF CODIFIED ORDINANCES OF CITY OF CANTON
Referred to Judiciary Committee **PUB HRG 4/9/18 @ 7:00 P.M.**
- 1ST RDG 9. APPROVE AND ACCEPT REPLAT OF ALL OF OUTLOTS 1165, 1166 AND 1388; EMERGENCY (2304 - 2320 FAIRCREST ST SW, WARD 4, FOR SHAWNEE DEV AND PILOT TRAVEL CENTERS)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 10. APPROVE AND ACCEPT REPLAT OF PART OF LOT 37074 AND PART OF OUT LOTS 545, 850 AND 851; EMERGENCY (3112 CLEVELAND AVE NW, WARD 7, FOR DEVILLE DEV)
Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 11. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 1 AND FINAL IN AMT NOT TO EXCEED \$35,857.52 WITH CENTRAL ALLIED ENTERPRISES, INC. FOR ROADWAY BASE STABILIZATION PROJ, G.P. 1265; AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED TO PROJ; EMERGENCY
Referred to Finance & Public Property Capital Improvement Committees
- 1ST RDG 12. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 1 IN AMT NOT TO EXCEED \$14,307.00 WITH SCHINDLER ELEVATOR CORP FOR CORNERSTONE PARKING DECK ELEVATOR REPAIR; AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED TO SAID PROJ; EMERGENCY
Referred to Public Property Capital Improvement & Finance Committees
- 1ST RDG 13. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 5 IN AMT NOT TO EXCEED \$69,230.00 WITH ARCADIS US, INC. FOR CONSTRUCTION ENGINEERING RELATED TO PID 90671 - 12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJ - GP 1160; AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED TO SAID PROJ; EMERGENCY
Referred to Public Property Capital Improvement & Finance Committees
- 1ST RDG 14. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 6 IN AMT NOT TO EXCEED \$154,549.83 WITH BEAVER EXCAVATING CO FOR PID 90671 - 12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJ - GP 1160; AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED TO SAID PROJ; EMERGENCY
Referred to Public Property Capital Improvement & Finance Committees
- 1ST RDG 15. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO EASEMENT AGMT WITH EAST OHIO GAS CO D/B/A DOMINION ENERGY OHIO RELATED TO PLACEMENT OF 12" HIGH PRESSURE GAS LINE ACROSS FR REIFSNYDER PARK; EMERGENCY
Referred to Environmental & Public Utilities Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#16 - O#22)**

- 2ND RDG 16. AUTHORIZE LAW DIRECTOR TO ENTER INTO SETTLEMENT AGMT WITH ARCADIS U.S., INC.; EMERGENCY (12TH ST NW BRIDGE REPLACEMENT & STREETScape PROJ) (FIN)
- 2ND RDG 17. VACATE PORTION OF AUBURN PL NW; APPROVE AND ACCEPT REPLAT AND RENUMBERING PLAT OF ALL OF LOTS 13165 - 13174, 39834 - 39837 AND VACATED PORTION OF AUBURN PL NW; EMERGENCY (FR EAST RIGHT OF WAY OF DAWN CIR NW TO CLEVELAND AVE NW, FOR FOXY FEW LLC) **PUB HRG WAIVED (HOF)** (PS&T)
- 2ND RDG 18. AUTHORIZE AUDITOR TO PAY TWO MORAL OBS IN AMT NOT TO EXCEED \$20,929.21 TO ACCUMED GROUP; EMERGENCY (FIN)
- 2ND RDG 19. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ANY AND ALL PROFESSIONAL SERVICES CONTRACTS NEEDED FOR DESIGN OF RENOVATION OF SEARS BLDG; EMERGENCY (UTILITY BILLING RELOCATION) (FIN & PPCI)
- 2ND RDG 20. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR THE PURCHASE OF APPROX SIXTEEN NETWORK SWITCHES; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; ENTER INTO ANY AND ALL PROFESSIONAL SERVICES CONTRACTS NEEDED FOR INSTALLATION OF SAID SWITCHES AND OTHER NETWORK REPAIRS; AND TO ENTER INTO COOP AGMT WITH STARK COUNTY FOR INSTALLATION OF SAID SWITCHES AND OTHER NETWORK REPAIRS; AMEND APPROP O#277/2017; EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 504010 INFORMATION TECHNOLOGY MANAGER - OTHER) (PPCI)
- 2ND RDG 21. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACT FOR GLENWOOD INTERMEDIATE SCHOOL DETENTION BASIN NO. 2 PROJ - GP 1271 AND TO ENTER INTO COOP AGMT WITH PLAIN LOCAL BOARD OF EDUCATION FOR DESIGN, CONSTRUCTION, AND LONG-TERM MAINTENANCE OF BASIN; AMEND APPROP O#277/2017; EMERGENCY (\$130,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 202050 GLENWOOD INTERMEDIATE SCHOOL DETENTION BASIN NO. 2 PROJECT - GP 1271 - OTHER) (PPCI)
- 2ND RDG 22. AUTHORIZE AND CONSENT TO REPLACEMENT OF SIGNS AND SUPPORTS ON US 30 FROM SR 43 TO TRUMP AVE WITHIN CORP LIMITS OF CITY; EMERGENCY (ODOT, STA-77/30-0.00/16.86 SIGN SYSTEM, PID 104986) (PS&T)

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

- 45/2018 23. AMEND TITLE SEVEN - BUSINESS REGULATION CODE OF CODIFIED ORDINANCES OF CITY OF CANTON BY ADDITION OF CHAPTER 779, RETAIL SHOPPING CART REGULATIONS

DEFEATED

24. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (617 MCKINLEY AVE SW, PARCEL #280007, #280082, AND #280083 FR R-1A (SINGLE-FAMILY RESIDENTIAL) TO PR-4 (PLANNED MULTI-FAMILY RESIDENTIAL) (SMHA)

PUB HRG HELD 2/12/18 @ 7:00 PM

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

- 46/2018** 25. APPROVE STATEMENT OF SERVICES TO BE PROVIDED TO PROPERTY OWNERS IN HOF VILLAGE #5 ANNEX AREA, APPROX DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO CITY OF CANTON, OH; EMERGENCY
- 47/2018** 26. AMEND APPROP O#277/2017; EMERGENCY (\$4,400.00 APPROP TRF FR 2318 301001 LOCAL AIDS PREVENTION FUND - 600 - PERSONNEL TO 2318 301001 LOCAL AIDS PREVENTION FUND - 700 - OTHER)
- 48/2018** 27. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO PROFESSIONAL SERVICES CONTRACT WITH BLACK, MCCUSKEY, SOUERS AND ARBAUGH LPA FOR LEGAL SERVICES RELATED TO WORKERS' COMPENSATION CASES; EMERGENCY
- 49/2018** 28. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD, EXECUTE CONSTRUCTION CONTRACT AND PROFESSIONAL SERVICES CONTRACT, PURCHASE AND MAKE PAYMENT FOR ANY AND ALL EASEMENTS, AND ENTER INTO AGMT WITH OHIO EPA TO RECEIVE LOAN FOR CANTON SOUTH - CLEVELAND AVE WATERLINE EXTENSION (REGIONALIZATION); AUTHORIZE AUDITOR TO CREATE 5235 CANTON SOUTH-CLEVELAND AVE WATERLINE EXTENSION PROJ (REGIONALIZATION) FUND; AMEND APPROP O#277/2017; EMERGENCY (\$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207048 CANTON SOUTH - CLEVELAND AVE WATERLINE EXTENSION PROJ (REGIONALIZATION) FUND - OTHER)
- 50/2018** 29. VACATE PORTION OF BLAKE AVENUE NW; APPROVE AND ACCEPT REPLAT OF OUT LOT 1397 AND VACATED PORTION OF BLAKE AVENUE NW AND OUT LOT 1397; EMERGENCY (HOF VILLAGE, LLC)
PUB HRG WAIVED (HOF)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, March 12, 2018 in Council Caucus Room at 6:00 PM**

- 1) Finance Committee
- 2) Public Safety & Thoroughfares Committee
- 3) Personnel Committee
- 4) Public Property Capital Improvement Committee
- 5) Environmental & Public Utilities Committee
- 6) Judiciary Committee
- 7) Annexation Committee

MISCELLANEOUS BUSINESS: Member Hawk stated that his reason for voting "NO" on O#24, is because he believes that the properties currently owned by SMHA need to be better maintained before they purchase more properties. Majority Leader Smith invited Council Members and the Administration to attend the meeting with the Ohio EPA and the Health Department to discuss the Republic Steel issue. The meeting will be held on Wednesday, March 7th at 6:00 p.m. at the William Hunter Building on Mahoning Rd. N.E. President Schulman commended Majority Leader Smith and Assistant Majority Leader Babcock on the fantastic job they're doing as Leaders.

QUOTE OF THE WEEK: "Teach the young people how to think, not what to think." - Sidney Sugarman

ADJOURNMENT: 7:31 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 12, 2018 @ 7:00 PM