

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

APRIL 6, 2015

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Richard Hart, At-Large Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#4 - O#10; O#10 Adopted on 2nd Rdg; O#12 Adopted as Amended; O#13 Referred back to Committee)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Pete DiGiacomo spoke about pit bulls that were found in his neighborhood. He called the Police Dept. and 911, but no one would help. He thanked the Council Office for helping to get Officer Sedlacko to solve the problem, and hopes that they get good care. He said that last Thursday he found a chrome strip off a vehicle in his yard, so he put it on top of his trash cans which were ready to be picked up. On Friday morning he found the chrome strip beside one of the cans. He said it should not have been left there and called the Sanitation Dept. He brought the chrome strip to the Council meeting and gave it to Service Director Bartos. Jack Hawk spoke about the City's capability of communicating with a deaf person. He said Leroy Lynch has been trying to get a job, but gets different stories from different departments. He asked the Civil Service Dept. and Law Director Martuccio if the 1960 Civil Rights Act applies to State and City Government. He said that the City does not employ even one disabled person. Leonard Stevens, who is the President of the Minority Business Assoc., brought some of the members with him and spoke about the support their organization has received. He said they have accomplished many things since their inception, such as establishing a minority business center with a counselor, assisting 21 business with State certifications, and establishing a loan program. He thanked Council for their assistance and indicated the money has been put to a good use. He specifically thanked Member West. Henry Preston spoke about the West Tusc Project. He said with limited funds, Council needs to watch how they spend the money. He said that 12th and Market has been one of the most dangerous intersections for years due to construction from four to two lanes. He encouraged Council to improve traffic safety by repositioning some of the traffic signals to avoid sun glare. Robert Myers, who is a Central Allied employee, spoke about the asphalt issue. He said that cold mix and hot mix are essentially the same, but the cold mix has an additive to work in cold weather. He said that the Road Dept is not properly applying the patch, and he has pictures of the poor work. He did not appreciate Council slamming Central Allied when they have been there for them. He said the mix meets Ohio standards, the problem is how it is being applied.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

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| 131. | AUDITOR MALLONN: | REQ FOR ADD'L AMENDED CERT DATED 3/31/15. - RECEIVED & FILED |
| 132. | AUDITOR MALLONN: | MTHLY RPT BY FUND FOR 3/1/15 THRU 3/31/15. - RECEIVED & FILED |
| 133. | AUDITOR MALLONN: | YRLY RPT BY FUND FOR 1/1/15 THRU 3/31/15. - RECEIVED & FILED |
| 134. | COURT ADMIN. KOCHERA: | CANTON MUNICIPAL COURT 2014 ANNUAL REPORT. - RECEIVED & FILED |
| 135. | HEALTH COMMISSIONER ADAMS: | REQ \$35,000.00 SUPP APPROP FR UNAPPROP BAL OF 2322 DENTAL SEALANT TO 2322 DENTAL SEALANT - OTHER. - FINANCE COMMITTEE |
| 136. | LIQUOR CONTROL DIVISION: | REQ TRF FROM PETER G. PAPACOSTAS DBA PETE'S GRILL & PIZZA, 1 ST FL & PATIO TO MOVEMENT NIGHTCLUB LLC, 1 ST FL & PATIO AT 401 CHERRY AVE NE (WARD 2). - RECEIVED & FILED |
| 137. | MAYOR HEALY: | REQ AUTHORIZATION OF RE-APPT OF DON TARVER TO BOARD OF BUILDING APPEALS FOR TERM BEGINNING 1/1/15 TO 12/31/17. - PERSONNEL COMMITTEE |
| 138. | MAYOR HEALY: | REQ AUTHORIZATION OF RE-APPT OF WILLIAM EUSTATHIOS TO BOARD OF BUILDING APPEALS FOR TERM BEGINNING 1/1/15 TO 12/31/17. - PERSONNEL COMMITTEE |
| 139. | SERVICE DIRECTOR BARTOS: | ALLOW LOCAL CONTRACTOR NORTHSTAR ASPHALT, INC TO PROVIDE ADDITIONAL MANPOWER AND EQUIP FOR POT HOLE PATCHING, AND MAKE RUNS TO RUPP SUPPLY IN MARSHALLVILLE, OH FOR HOT MIX, PURSUANT TO SEC 105.04 OF THE CODIFIED ORDINANCES; AUTHORIZE AUDITOR TO PAY MORAL OB TO NORTHSTAR ASPHALT, INC. FOR AMT NOT TO EXCEED \$150,000. - FINANCE COMMITTEE |

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,500,000.00 FOR COSTS OF REVITALIZATION WITHIN CITY AND ADDRESSING PROP CONDITIONS FOR PUBLIC HEALTH AND SAFETY THRU DEMO OF DETERIORATING STRUCTURES AND IMPROVEMENT OF THOSE SITES; EMERGENCY (REVITALIZATION NOTES, SERIES 2015A)
Referred to Finance and Community & Economic Development Committees

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 2. AUTHORIZE MAYOR, SAF DIR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF VARIOUS VEHICLES AND/OR EQUIP; ALTERNATIVELY PURCH SAID VEHICLES AND/OR EQUIP PURSUANT TO STATE COOP PURCH AGMTS; ENTER INTO CONTRACT FOR 1 LADDER TRUCK WITH PUMP IN ACCORDANCE WITH ORC SEC 125.04; ENTER INTO 5 YR LEASE AGMT FOR ABOVE LADDER TRUCK WITH PUMP FOR ESTIMATED AMT OF \$252,000.00 PER YR; AMEND APPROP O#266/2014; EMERGENCY (7 FORD POLICE INTERCEPTER SUV'S; 1 PUMPER TRUCK FOR FIRE DEPT; 1 HYDRAULIC COUPLER LOADER FOR STR DEPT; SUPP APPROP OF \$875,000.00 FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCH FUND TO 4502 102001 POLICE ADMIN - OTHER FOR \$307,000.00, TO 4502 103001 FIRE ADMIN - OTHER FOR \$408,000.00, AND TO 4502 202210 ST MAINT FOR \$160,000.00)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 3. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER 3 IN AMT OF \$324,248.00 WITH ARCADIS US, INC. FOR 12TH ST NW, BRIDGE REPLACEMENT AND STREETScape PROJ, PID 90671, GP 1160; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO COOP AGMTS WITH OTHER PROJ STAKEHOLDERS; AMEND APPROP O#266/2014; EMERGENCY (\$94,781.40 SUPP APPROP FR UNAPPROP BAL OF 4506 INFRASTRUCTURE BOND FUND TO 4506 202091 INFRASTRUCTURE BOND - 12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJ, PID 90671, GP 1160 - OTHER; \$29,466.60 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202091 CAPITAL FUND - 12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJ, PID 90671, GP 1160 - OTHER; \$200,000.00 APPROP TRF FR 2113 202001 MUNICIPAL RD FUND ENG ADMIN - OTHER TO 2113 202091 MUNICIPAL RD FUND - 12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJ, PID 90671, GP 1160 - OTHER)
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD 2ND RDG O#4 - O#10)

- 2ND RDG 4. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$1,400.00 FOR ACY COMMUNICATIONS FOR PROF SERV PERFORMED IN FEBRUARY, 2015; EMERGENCY (DETECTIVE BUREAU) (FIN)
- 2ND RDG 5. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$342.60 TO REMINGTON ARMS CO. INC. FOR WORK PERFORMED IN NOVEMBER, 2014; EMERGENCY (POLICE DEPARTMENT) (FIN)
- 2ND RDG 6. AMEND APPROP O#266/2014; EMERGENCY (SUPP APPROP OF \$19,744.22 FR UNAPPROP BAL OF THE 2761 ENFORCEMENT AND EDUCATION FUND TO 2761 102001 POLICE ADMIN - OTHER) (FIN)
- 2ND RDG 7. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT AND TO EXECUTE A PROF SERV CONTRACT FOR CONSTRUCTION OVERSIGHT SERV FOR APPLGROVE STREET/MIDDLEBRANCH AVENUE/WERNER CHURCH ROAD PROJECT - CITY ONLY PORTION; AMEND APPROP O#266/2014; EMERGENCY (SUPP APPROP OF \$1,260,000.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207034 APPLGROVE/MIDDLEBRANCH/WERNER CHURCH WATER MAIN PART A - CITY ONLY PORTION - OTHER) (FIN)
- 2ND RDG 8. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO SECOND SUPP AGMT TO THE CANTON/HARTVILLE CONTRACT 2002-66 AND ENTER INTO PROF SERV AGMT FOR CONSTRUCTION OVERSIGHT FOR HARTVILLE PHASE III WATER MAIN EXTENSION PROJECT; AMEND APPROP O#266/2014; EMERGENCY (SUPP APPROP OF \$1,060,497.00 FR UNAPPROP BAL OF THE 5201 WATER FUND TO 5201 207026 HARTVILLE WATER MAIN EXTENSION - OTHER) (FIN)
- 2ND RDG 9. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR COSTS ASSOCIATED WITH ABATEMENT OF NOXIOUS WEEDS, GRASS OF RANK GROWTH AND LITTER; EMERGENCY (FIN)
- 7/3/2015 10. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SRV CONTRACT WITH MANNICK & SMITH GROUP, INC. FOR ENG SRVS RELATED TO TUSC ST WEST CORRIDOR SAFETY PROJ, PID 92562, GP 1165; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE 4578 TUSC ST (WEST) CORRIDOR SAFETY PROJ, PID 92562, GP 1165 FUND; AMEND APPROP O#266/2014; AUTHORIZE MAYOR OR SERV DIR TO APPLY FOR GRANTS AND ENTER INTO GRANT FUNDING AGMTS PERTAINING TO THIS PROJ; EMERGENCY (\$250,000.00 FR UNAPPROP BAL OF 4578 TUSC ST (WEST) CORRIDOR SAFETY PROJ, PID 92562, GP 1165 TO 4578 202043 TUSC ST (WEST) CORRIDOR SAFETY PROJ, PID 92562, GP 1165 - OTHER, AND \$44,563.65 FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202043 TUSC ST (WEST) CORRIDOR SAFETY PROJ, PID 92562, GP 1165 - OTHER) (PPCI)

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

- 7/4/2015 11. AMEND APPROP O#266/2014; EMERGENCY (\$10,000.00 FR UNAPPROP BAL OF 4501 701001 CAPITAL PROJ FUND TO 4501 701001 75806 CAPITAL PROJ FUND - OTHER)
- 7/5/2015 12. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF VARIOUS VEHICLES; OR TO ALTERNATIVELY PURCH SAID VEHICLES PURSUANT TO STATE CO-OP PURCH AGMTS; AND TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR A 3-YR LEASE AGMT FOR 2 FORD FUSIONS, OR ALTERNATIVELY TO ENTER INTO CONTRACT FOR LEASE OF SAID VEHICLES IF SAID LEASE IS LESS THAN \$20,000.00 THRESHOLD WHICH REQUIRES COMPETITIVE BIDDING; EMERGENCY (1 FORD F-150, 1 FORD F-250, 1 FORD F-350, 1 FORD F-450)

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

TO CMTE 13. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO A PROF SRVS CONTRACT WITH BURGESS & NIPLE FOR DESIGN AND CONSTRUCTION ADMIN SRVS FOR 53RD ST RESERVOIRS REROOFING PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$89,000.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207033 - 53RD ST RESERVOIR ROOF - OTHER)

76/2015 14. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO A PROF SRVS CONTRACT WITH PROF SRVS INDUSTRIES, INC. FOR DESIGN, ENG, CONTRACT ADMIN AND OTHER PROF SRVS AND ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT FOR CANTON MEMORIAL CIVIC CTR ROOF REPAIR/REPLACEMENT PROJ; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, April 13, 2015 in Council Caucus Room at 6:45 PM**

- 1) Finance Committee
- 2) Personnel Committee
- 3) Public Property Capital Improvement Committee
- 4) Community & Economic Development Committee

MISCELLANEOUS BUSINESS: Member Fisher thanked Service Director Bartos and Engineer Ed Moore for meeting with him and looking at improving the longevity of roads due to commercial traffic. He said that every 20,000 tons over the legal weight doubles the increase on the pavement, and he encourages redoing commercial truck traffic. Member West thanked the Minority Business Assoc., and said that they deserve thanks for most of the work with the help of the Mayor and Deputy Mayor. He said that minority businesses hire a lot of people, which means more citizens working. Member West asked Service Director Bartos to speak with the man from Central Allied regarding the cold and hot mix. He said that he watched some patching being done, that it was done properly, and encouraged Service Director Bartos to investigate whether in fact it is being done the right way. Service Director Bartos said that he viewed the video that Mr. Myers brought in, but all he could see were potholes being filled and could not tell if it was the City doing it. He said that Central Allied and the Administration are going to meet regarding this issue. Member West asked if a visit of Central Allied could be scheduled. Service Director Bartos felt that Central Allied would love that, and said he would get a tour together. Member Mariol indicated that the cold patch costs \$157.00 a ton and the hot mix costs \$51.00 a ton. He wants to know why we are using the more expensive stuff when it's the season to use the hot mix. Member Morris said we need to ask Central Allied why with only one additive, the cold mix is worth \$100.00 more a ton than the hot. Member Smuckler suggested that a memo be sent on how we can handle the grass cutting so it's not an issue in September. Member Mack said that Dominion East Ohio has been running gas lines on 39th St., which has damaged streets, and that they are parking their vehicles on 41st St., which has recently been redone. He would like to limit the heavy equipment. He also asked if the Central Allied employee was speaking on behalf of his company. Member Hart suggested that council members be notified of Dominion East Ohio projects. Law Director Martuccio thanked Jack Hawk for speaking on behalf of Leroy Lynch. He said that President Clinton's order from 1960 covered Federal agencies and is not binding on states and cities. He said that the Americans with Disabilities Act obligates the City to contract with someone so a disabled person may deal with them. He said he would check with the Union regarding Mr. Lynch's past employment. He agreed that yes, a memo could be prepared regarding grass cutting following due process. Member West acknowledged Clerk Timberlake for helping with the pit bull situation, and hopes there is money available to address various animal issues. President Schulman acknowledged Leroy Lynch as an outstanding employee, and said he doesn't deserve what is happening to him, and that he deserves to be rehired.

ADJOURNMENT: 8:20 P.M.