

MINUTES OF THE MEETING JANUARY 28, 2019

PRESIDENT SHERER: With a quorum being present, the Chair calls this meeting of... (*continued noise from the audience*). With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please, Mr. Clerk.

ROLL CALL TAKEN BY CLERK DOUGHERTY:

11 COUNCIL MEMBERS PRESENT: (CHRIS SMITH, JAMES BABCOCK, COREY MINOR SMITH, BILL SMUCKLER, NATHANIEL CHESTER, JASON SCAGLIONE, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, PETER FERGUSON & FRANK MORRIS)

ELEVEN COUNCIL MEMBERS PRESENT.

CLERK DOUGHERTY: Eleven present, one absent, Mr. President.

EXCUSING MEMBERS

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: Mr. President, I move we excuse Member Hawk from tonight's meeting.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to excuse Member Hawk from this evening's meeting. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: Motion carries and Member Hawk is excused from this evening's meeting. Tonight's invocation will be given by Ward 6 Council Member, Kevin Hall. If you would all please stand and remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on January 28, 2019 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, David R. Dougherty. The invocation was given by Ward 6 Council Member, Kevin Hall. The Pledge of Allegiance was led by President Sherer.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SHERER: We are now under Agenda Corrections and Changes. Leader Smith.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #6 through 13 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add 2nd Reading Ordinances

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6 through 13 to this evening's agenda. Are there any remarks?... Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 6 through 13 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SHERER: We are now under Public Hearings, and we have none for this evening.

OLD BUSINESS

PRESIDENT SHERER: We are now under Old Business. Deputy Mayor Williams, is there any Old Business?

LAW DIRECTOR BATES-AYLWARD: I was just telling Deputy Mayor, if it please you, Mr. President, I do have some Old Business to update Council on.

PRESIDENT SHERER: Absolutely.

LAW DIRECTOR BATES-AYLWARD: And this concerns a gentleman who owned a commercial property here in the City. And as we all remember, it collapsed and we were unable to get him to pay for it and we had to remove it with city funds, and one of my staff has diligently pursued this gentleman and he just received, January 16th, a full amount in judgment. Now don't get too excited, but he did get the full judgment which was for \$379,251.33. Uh, now what we're going to do is schedule what we call a debtor's exam to further flush out what items he owns, and then we're gonna proceed to start levying on those properties and attempting to collect it. So I want to give a lot of thanks to Phil Schandel of our office. He diligently pursued this and it was not easy. This person certainly had a good lawyer and they fought it. But he was able to obtain this judgment, and now we will be pursuing the collection. So I just wanted to let everybody know that.

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT SHERER: Yes.

DEPUTY MAYOR WILLIAMS: At the January 14th meeting, Mrs. Renee Pilone had addressed Council with several questions in regards to AirBnB legislation. Uh, those questions have been referred over to our Planning Director, Donn Angus, who will follow up with Mrs. Pilone. Thank you.

PUBLIC SPEAKS

PRESIDENT SHERER: We are now under Public Speaks, and we have two speakers for this... tonight. Our first speaker is Stephanie Sweany. Will you please step forward and give us your name and your residential address, please.

STEPHANIE SWEANY: Hi. I'm Stephanie Sweany of 123 17th Street NW, Canton, Ohio, and I'm here with

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my friends, Becky and Jenna and Barb, and we are here on behalf of the Canton Kindness Coalition. Uh, so you might be here wondering what is this group that has this awesome name with awesome alliteration. Uh, well we are a new organization. Uh, we just formed in November and our goal is to get the citizens of Canton involved in making kindness contagious. So we're doing that through acts of kindness that we are coordinating all throughout the community. We want everyone to be involved in this. You don't have to be at a certain education level, economic status, or anything like that to make a difference in the community. So we want to provide opportunities for the community to come together and for anyone who wants to be involved in helping to make Canton a better place to come and join us. So we've done a couple events already, so we wanted to kind of give you guys a little bit about what we want... what we are doing in the community, a little bit about what we are going to do in the community, and then we have a big event that we would like you guys to possibly be a part of with us. Uh, so some of the things that we have done... uh, we have done holiday cards for Veterans. Uh, we did that in December. Uh, we did holiday wreaths and we gave those to local senior citizens. Uh, we've done supply drives. Uh, we did a drive for Pitties and Kitties, which is a local organization that helps rescue dogs and cats and other small animals. Uh, we had two Martin Luther King Day Service Events here just this past week. Uh, we did a snack drive for Be a Better Me Foundation. Then we also did a drive of makeup and personal care items for Domestic Violence Shelter. So that is just a little bit of what we've done in the past couple of months. We have been very lucky to have a lot of amazing people who have been involved in this process. But we have a couple of other events that we have coming up we wanted to share with everybody. Uh, we have First Friday. We're having a fund raiser with 4 Cookie Divas that will be at Cantonology and at Arcadia Grill, and we will be passing out Kisses for Kindness which are chocolate. We don't have a lawyer yet so we can't give out real kisses. It will be chocolate Kisses. Uh, then we also have a planning session that we have planned for February 7th, so we're here really to ask you is to help us to be involved in declaring February 10th through February 17th as National Random Kindness... Random Acts of Kindness Week, and February 17th as National Random Acts of Kindness Day. So we're asking for a Proclamation or a Declaration from the City promoting kindness and making kindness contagious in Canton.

PRESIDENT SHERER: Thank you very much.

STEPHANIE SWEANY: And if you... if anyone is interested in helping us promote kindness... uh, I know some of you and I'm gonna call some of you out, Rob Fisher, to.... (*laughs*)... to take some photos so we can help promote on Facebook that we were out here making kindness contagious. Alright, thank you.

PRESIDENT SHERER: Thank you... thank you ver... thank you very much. (*Applause*)

STEPHANIE SWEANY: And we have little cards we're gonna hand around to everybody. We don't have a budget yet, so this is just me working in a free... in a free media graphics page and printing them off. So take a look.

PRESIDENT SHERER: Alright, our next speaker is Mr. Greg Conrad. Would you please step forward and state your name and residential address.

GREG CONRAD: Uh, Greg Conrad, 1245 Logan Avenue NW, Canton, Ohio. I want to give our Street Department ten out of ten for the job they did on our streets over the big snow event a week ago. Leaving for work at 4:00 A.M. on Monday between 12th and Cleveland and the 62 West on ramp, four city trucks were

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salting the roads. Two lanes, one each way, was wet. Good job! (*Applause*)

PRESIDENT SHERER: And I would agree, from what I heard from the constituents that the City did a great job, absolutely.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: Alright, we are now under Informal Resolutions and we have two tonight. Mr. Clerk, would you please read Informal Resolution #7, by title.

#7. MAJORITY LEADER SMITH: AUTHORIZE AND DIRECT SERV DIR TO OPEN PURCH ORDER IN AMT NOT TO EXCEED \$31,706.00 TO THE K COMPANY FOR INSTALLATION OF HVAC SYSTEM FOR COMMUNITY ROOM AT EDWARD "PEEL" COLEMAN BLDG. - ADOPTED

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #7.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #7. Are there any remarks?... Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #7 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. Motion carries, and Resolution #7 is adopted. Informal Resolution #8, please.

#8. PERSONNEL COMMITTEE: AUTHORIZE APPT OF BRENDA KIMBROUGH TO TREE COMMISSION COMMENCING 1/28/19 TO 12/31/20.- ADOPTED

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #8.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #8. Are there any remarks?... Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #8 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. Motion carries, and Resolution #8 is adopted.

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PRESIDENT SHERER: We are now under Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JANUARY 28, 2019.

25. COURT ADMIN KOCHERA: AUTHORIZE AUDITOR TO PAY MORAL OB TO ORIANA HOUSE, INC. IN AMT OF \$1,343.50; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (GPS & ELECTRONIC MONITORING). - FINANCE COMMITTEE
26. DEPUTY MAYOR WILLIAMS: REQ INF RESOLUTION AUTHORIZING SERV DIR TO OPEN PURCH ORDER IN AMT OF \$31,706.00 TO THE K COMPANY, INC. FOR INSTALLATION OF HVAC SYSTEM FOR COMMUNITY ROOM (EDWARD "PEEL" COLEMAN CENTER). - RECEIVED & FILED
27. FINANCE CHAIRMAN MORRIS: AUTHORIZE 5% TOTAL INCREASE TO YRLY SALARY OF COUNCIL OFFICE STAFF; SUSPEND ANY AND ALL ANNUAL COST OF LIVING ADJUSTMENTS FOR CITY COUNCIL MEMBERS FOR FISCAL YR 2019; EMERGENCY . - PERSONNEL & FINANCE COMMITTEES
28. LIQUOR CONTROL DIV (OHIO): NOTICE OF HRG ON APPEAL FR OHIO DIV OF LIQUOR CONTROL'S ORDER ON THURSDAY, FEBRUARY 7, 2019 @ 10:00 A.M. (RUBY MANAGEMENT LLC, DBA RUBY SALOON @ 2548 WINFIELD WAY NE, PERMIT #7576907). - RECEIVED & FILED
29. LIQUOR CONTROL DIV (OHIO): REQ TRF D2 D2X D3 PERMIT FR BENDERS TAVERN INC TO BENDERS TAVERN LLC @ 131-37 COURT AVE SW. - RECEIVED & FILED
30. MAYOR BERNABEI: LTR ADVISING OF RE-APPT OF REV. JAMAR FLEMING, MAJOR TOM GRACE AND MS. REMEL MOORE TO MAYOR'S COMMUNITY RELATIONS COMMISSION, COMMENCING RETRO FR 1/1/19 THRU 12/31/20. - RECEIVED & FILED
31. MAYOR BERNABEI: LTR ADVISING OF RE-APPT OF AMANDA STEWART TO PLANNING COMMISSION COMMENCING RETRO FR 1/1/19 THRU 12/31/24. - RECEIVED & FILED
32. PROP OWNERS: J&S PROPERTY ACQUISITIONS, LLC: REQ AUTHORIZATION FOR ZONE CHANGE @ 2725 MARET PL NE (PARCEL #10004524), WARD 1 (SCOTT WEINGOLD & JOHN HOLLIS FOR J&S PROPERTY ACQUISITIONS). - PLANNING COMMISSION
33. SAFETY DIRECTOR PERRY: AUTHORIZE AND DIRECT AUDITOR TO PAY ANY AND ALL MORAL OBS FOR MEDICAL AND PHARMACY EXPENSES RESULTING PRIOR TO

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PASSAGE OF ORD; RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN TO ENSURE MORAL OBS ARE PAID IN TIMELY MANNER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE

34. SERVICE DIRECTOR HIGHMAN: AMEND EXHIBIT A TO O#40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL, TO ADD ONE (1) CIVIL ENGINEER TECHNICIAN V CLASSIFICATION, POSITION NO. 469, FUND 20-70-22, BARGAINING UNIT 12, FLSA STATUS NON-EXEMPT TO SERV DIR'S PUBLIC WORKS - WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIVISION; EMERGENCY. - PERSONNEL COMMITTEE
35. SERVICE DIRECTOR HIGHMAN: AMEND O#276/2018 (\$160,000.00 APPROP TRF FR 1001 204010 OTHER BUILDINGS - PERSONNEL TO 1001 204010 OTHER BUILDINGS - OTHER; EMERGENCY (BLDG MAINT APPROP TRF FOR CLEANING). - FINANCE COMMITTEE
36. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH ARCADIS FOR DESIGN OF PERRY DRIVE/TUSCARAWAS STREET/WOODLAWN AVE AREA WATER MAIN REPLACEMENT PROJ - PHASE I; AMEND O#276/2018 (\$377,600.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207057 PERRY/TUSCARAWAS/WOODLAWN AREA WATER MAIN REPLACEMENT PROJ PHASE I - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
37. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH ARCADIS FOR DESIGN OF PERRY DRIVE/TUSCARAWAS STREET/WOODLAWN AVE AREA WATER MAIN REPLACEMENT PROJ - PHASE II; AMEND O#276/2018 (\$141,600.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207058 PERRY/TUSCARAWAS/WOODLAWN AREA WATER MAIN REPLACEMENT PROJ - PHASE II - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
38. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PRELIMINARY PARTICIPATION AGMT STA-US 62-24.05, PID 96346 WITH ODOT TO RELOCATE WATER LINES; AUTHORIZE MAYOR AND/OR SERV DIR TO ASSUME AND BEAR 100% OF COSTS OF WATER LINE CONSTRUCTION; AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RESULTING FR HIGHER BID COSTS/CHANGE ORDERS ENCOUNTERED BY ODOT DURING PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES
39. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 12/31/18. - RECEIVED & FILED

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40. FINANCE CHAIRMAN MORRIS: REQ WITHDRAWAL OF COMMUNICATION #27 FR THE 1/28/19 AGENDA. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their First Reading. Mr. Clerk, please begin with Ordinance #1.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #5 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 3083, 3084 AND PART OF LOTS 6226, 6227, 6228 AND 6229; VACATING A 12' UNNAMED ALLEY; AND DECLARING THE SAME TO BE AN EMERGENCY (NW CORNER 9TH ST AND THE O'JAYS PKWY NE, WARD 2) **PUB HRG WAIVED**
Referred to Public Safety & Thoroughfares Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR A REQUEST FOR PROPOSALS FROM INTERESTED VENDORS FOR THE IMPLEMENTATION OF ENERGY CONSERVATION MEASURES FOR SPECIFIED CITY BUILDINGS PURSUANT TO O.R.C. 717.02; AND DECLARING THE SAME TO BE AN EMERGENCY ("SMART CITIES")
Referred to Public Property Capital Improvement Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE 33RD STREET NW AREA WATER MAIN REPLACEMENT PROJECT AND TO EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; RECEIVE GRANT FUNDS IN THE AMOUNT OF \$900,000 AND A ZERO PERCENT INTEREST LOAN IN THE AMOUNT OF \$600,000 FROM THE OHIO PUBLIC WORKS COMMISSION; AUTHORIZING THE AUDITOR TO CREATE THE 5239 33RD ST NW AREA WATER MAIN REPLACEMENT PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5239 33RD STREET NW AREA WATER MAIN REPLACEMENT PROJ FUND TO 5239 207052 33RD STREET NW AREA WATER MAIN REPLACEMENT PROJ - OTHER; \$565,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207052 33RD STREET NW AREA WATER MAIN REPLACEMENT - OTHER)
Referred to Finance and Environmental & Public Utilities Committees

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- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTACT FOR THE BUILDING OF AN AGGREGATE SHELTER AND RELATED UPGRADES; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$220,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 WATER DISTRIBUTION - OTHER)
Referred to Finance and Public Property Capital Improvement Committees
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT AND TO EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES FOR THE RIDGEWOOD EAST WATER MAIN REPLACEMENT PROJECT PHASE II; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,064,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207047 RIDGEWOOD PHASE II WATER MAIN REPLACEMENT PROJ - OTHER)
Referred to Finance and Environmental & Public Utilities Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading. Mr. Clerk, please begin with Ordinance #6.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #6 THROUGH #13 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #6. (2ND RDG) A RESOLUTION WITHDRAWING CANTON'S OBJECTION TO THE TRANSFER OF A LIQUOR PERMIT LOCATED WITHIN THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY (FAMILY DOLLAR 5497, 1207 12TH ST NW, WARD 1)
- #7. (2ND RDG) A RESOLUTION WITHDRAWING CANTON'S OBJECTION TO THE TRANSFER OF A LIQUOR PERMIT LOCATED WITHIN THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY (FAMILY DOLLAR 1348, 2901 MAHONING RD NE, WARD 6)
- #8. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH IBI GROUP FOR DESIGN OF THE CLEVELAND AVENUE NW WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE

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SAME TO BE AN EMERGENCY (\$174,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207055 CLEVELAND AVE NW WATER MAIN REPLACEMENT PROJ - OTHER)

- #9. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE FOR DESIGN OF THE MARKET AVENUE NORTH WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$87,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207054 MARKET AVE NORTH WATER MAIN REPLACEMENT PROJ - OTHER)
- #10. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH CT CONSULTANTS, INC. FOR DESIGN OF THE SPANGLER STREET NE AREA WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$154,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207056 SPANGLER ST NE AREA WATER MAIN REPLACEMENT PROJ - OTHER)
- #11. (2ND RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 20WT, SERV DIR'S PUBLIC WORKS WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIV, WATER QUALITY CONTROL CHEMIST AND BACTERIOLOGIST)
- #12. (2ND RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 20WT, SERV DIR'S PUBLIC WORKS WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIV, SUPERVISOR DISTRIBUTION CLASS AND ASST SUPERVISOR DISTRIBUTION CLASS)
- #13. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT AND EXECUTE AN ENGINEERING PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; ESTABLISHING THE FAIR

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MARKET VALUE OF REAL PROPERTY; AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, OR DESIGNEE TO ENTER INTO AGREEMENTS FOR THE PURCHASE/ACQUISITION OR DONATION/ACQUISITION OF THESE PARCELS; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACQUIRE THREE PARCELS OF DELINQUENT VACANT LAND THROUGH THE STARK COUNTY LAND REUTILIZATION CORP.; AUTHORIZES THE CITY TO RECEIVE AND ENTER INTO AGREEMENT FOR GRANT FUNDS FOR THE 3RD ST. SE BRIDGE PROJECT, G.P. 1167; AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THE 4588 3RD ST. SE BRIDGE PROJECT, GP 1167, PID 91972 FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SHERER: We are now under Ordinances and Informal Resolutions for their Third/Final Reading and Vote. Mr. Clerk, please begin with Ordinance #14.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #14 THROUGH #18 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#14. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 5/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE AGREEMENT WITH THRASHER ENGINEERING, INC. PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #14.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #14. Are there any remarks? Leader Smith.

MEMBER SMITH: Mr. President, I move we amend Ordinance #14 per the copy that all Council Members have before them.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #14 per the copy before each of you. Are there any remarks? Hearing none, by voice vote all those in favor signify by saying

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aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. The motion carries. Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #14, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 14 by amending the caption and Section 1 to change the name "Thrasher Engineering, Inc." to "Thrasher Group, Inc."

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #14, as amended. Are there any remarks under this Ordinance as amended? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#14 ADOPTED AS AMENDED AS ORDINANCE NO. 5/2019

PRESIDENT SHERER: Ordinance #14, as amended, is adopted. Ordinance #15, please.

#15. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 6/2019** AN ORDINANCE AMENDING ORDINANCE NO. 88/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (AMEND LANGUAGE UNDER CAPTION "CORNERSTONE DECK")

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #15.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #15. Are there any remarks? Leader Smith.

MEMBER SMITH: Mr. President, I move we amend Ordinance #15 per the copy that all Council Members have before them.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #15 per the copy before

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each of you. Are there any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. The motion carries. Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #15, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 15 by amending Section 1 to change the name "Thrasher Engineering, Inc." to "Thrasher Group, Inc."

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #15, as amended. Are there any remarks under this Ordinance as amended? ...Hearing none, roll call vote, please.

NO REMARKS ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#15 ADOPTED AS AMENDED AS ORDINANCE NO. 6/2019

PRESIDENT SHERER: Ordinance #15, as amended, is adopted. Ordinance #16, please.

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 7/2019** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH JULZ BY ALAN RODRIGUEZ TO PROVIDE A REAL PROPERTY TAX EXEMPTION; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON CITY SCHOOL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82(C) OF THE REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #16.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #16. Are there any remarks?...Hearing none, roll call vote, please.

NO REMARKS ROLL CALL 11 YEAS, 0 NAYS

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CLERK DOUGHERTY: Eleven yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 7/2019

PRESIDENT SHERER: Motion carries and Ordinance #16 is adopted. Ordinance #17, please.

- #17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 8/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS FOR THE PURCHASE OF FOUR (4) SMALL SPORT UTILITY VEHICLES FOR THE BUILDING DEPARTMENT; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY THE OHIO REVISED CODE AND/OR CANTON CODIFIED ORDINANCES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #17.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #17. Are there any remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 8/2019

PRESIDENT SHERER: Motion carries and Ordinance #17 is adopted. Ordinance #18, please.

- #18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 9/2019** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (ADDT'L SENIOR ELECTRONIC TECHNICIAN TO SERV DIRECTOR'S PUBLIC WORKS COLLECTION SYSTEM DEPT)

PRESIDENT SHERER: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #18.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #18. Are there any

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remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 9/2019

PRESIDENT SHERER: Motion carries and Ordinance #18 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under announcements of Committee Meetings.

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Finance will meet February 4, 2019 at 6:30 P.M.

MEMBER BABCOCK: Mr. President, Personnel, same time, same place.

PRESIDENT SHERER: Thank you, Member Babcock.

MEMBER SCAGLIONE: Mr. President, Public Property Capital Improvement, same time, same place.

PRESIDENT SHERER: Thank you, Member Scaglione.

MEMBER FISHER: Mr. President, Environmental & Public Utilities, same time, same place.

PRESIDENT SHERER: Thank you. We are now under...

CLERK DOUGHERTY: We need to... excuse me, Mr. President.

PRESIDENT SHERER: Yes.

CLERK DOUGHERTY: Public Safety & Thoroughfares, can someone call that, please?

MEMBER MORRIS: Mr. President, Public Safety & Thoroughfares, same time, same place.

PRESIDENT SHERER: Okay.

CLERK DOUGHERTY: Mr. President, 6:15 for everybody else for our picture next week, please, prior to Committee Meetings. (*Inaudible background voices*) Prob... probably. (*Laughter*)

PRESIDENT SHERER: It might... it might take longer than that, so... Thank you.

MINUTES OF THE MEETING JANUARY 28, 2019**MISCELLANEOUS BUSINESS**

PRESIDENT SHERER: Alright, we are now under Miscellaneous Business. Is there any Miscellaneous Business tonight?

SERVICE DIRECTOR HIGHMAN: Mr. President.

PRESIDENT SHERER: Yes.

SERVICE DIRECTOR HIGHMAN: I'd like to echo the comments that were made regarding the Street Department. It was a little over a year ago and I was before Council as the Purchasing Director reporting that we had two trucks spontaneously combust and we had quite a mess on our hands in the Street Department. A couple weeks later I was before Council again explaining that the reason that we were unable to clear the snow was because whenever we go out, we would have four, five, six, seven trucks go down almost instantaneously. So the... the efforts that I think we've seen over the past few weeks from the Street Department is really a... a top down approach and a citywide effort. Obviously, we have gone to great lengths to replace trucks even within the last year, so I thank Council, I thank my team on the Administration for the efforts with truck replacement. Uh, then I believe Superintendent Trzcinski and his management team have done a fantastic job with being planful as we approach a storm, and I think that that has shown. And most importantly, I believe that our employees, when we have placed them in a situation to respond and to be successful, that they have stepped up and they have answered the... answered the call when we have done so. So I do want to thank them for their efforts, and I know we aren't perfect and we always have room to grow, but I do think we're getting there. So I do want to thank everybody. Along those same lines, it's not just the Street Department who has increased issues and increased difficulty when we have... uh, when we have the snow and ice events, but it's all of our departments and it's everybody. And Superintendent Converse sent me a picture of a water crew and a water main break in the freezing cold, and these guys were absolutely soaking wet. So I want to thank all of the City employees for their efforts, especially in the... in the temperatures and the climate we've had. Uh, one point I want to make about the snow removal... it's just something for you to... to know is that effort from last weekend was a... uh, it... it cost the City in labor, salt and fuel, it was a \$200,000.00 expenditure to respond to the snow like that, but I believe it was money well spent. Uh, last thing, and this is probably, moving forward, the most important from a planning standpoint. A press release did go out today regarding the Sanitation Department. Uh, there is the potential for a 24 hour delay in garbage pickup beginning on Wednesday. We have not stated the exact date, whether it's gonna be Wednesday or Thursday where the delay will take place given the unpredictable nature of the weather, so we're asking the residents please put their garbage out for their normal pickup day, but there may be a delay depending on the temperature. So bear with us, and we will... we will get the trash, but know that this is going to pose a challenge for our crew. So again I thank everybody and I thank you for your patience.

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT SHERER: Yes.

DEPUTY MAYOR WILLIAMS: Uh, just a piggyback on some comments that were made by Director Highman, I wanted to inform Council that due to the expected extreme cold weather we're gonna be facing, the City of Canton, Salvation Army and Refuge of Hope, along with the American Red Cross

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will be providing warming shelters that will start to be open on January 29th starting at 6:00 P.M. and run through February 1st, 6:00 P.M. Um, in particular the Edward “Peel” Coleman Community Center will be open January 29th, 6:00 P.M. through Friday, February 1st, 8:00 A.M. Salvation Army will be open Wednesday, January 30th from 9:00 A.M. to 6:00 P.M., Thursday, January 31st from 9:00 A.M. to 6:00 P.M. and Friday, February 1st from 9:00 A.M. to 6:00 P.M. Uh, Salvation Army will be providing breakfast, lunch and a box lunch in the evenings for those who are going to go to the Southeast Community Center for an overnight stay. Uh, the Refuge of Hope will be open Wednesday, January 30th from 9:00 A.M. to 5:00 P.M. and also Thursday, January 31st from 9:00 A.M. to 5:00 P.M. Uh, SARTA is also partnering with us with this endeavor and they will be providing transportation to and from the Salvation Army to the Southeast Community Center and also from the Cornerstone Transit location on Cherry Avenue to the Southeast Community Center. Uh, you should have a copy of the press release at your station, and I’ll be happy to answer any questions after the meeting. Thank you.

PRESIDENT SHERER: Thank you.

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Yes.

MEMBER MARIOL: I just wanted to commend Stephanie Sweany and her group for coming in to talk about the Canton Kindness Coalition. Uh, I’ve had the opportunity to work with Stephanie and I found that nearly everything she does is successful, so I... I imagine this is going to be a great success and I would be more than happy to help you in any way I can. Thank you.

STEPHANIE SWEANY: Thank you.

MEMBER MINOR SMITH: Mr. President.

PRESIDENT SHERER: Member Smith.

MEMBER MINOR SMITH: Thank you. I would like to commend the Canton City Youth Council and again congratulate Member Fisher for his leadership in getting this group started. But they were instrumental in the program that took place at the Southeast Community Center with the Martin Luther King Celebration and the Youth Symposium that took place in the morning, and they are showing their leadership skills with coordinating a fund raiser for clothing and hygiene products, and all of those who are interested in participating, you can take items to the coney stand. Let me get the correct name of the place... what’s it called? (*Chuckles*) To the coney stand that is located next to the skating rink right downtown on First Friday. You...

MEMBER SMUCKLER: Arcade.

MEMBER MINOR SMITH: Arcade, thank you, Member Smuckler. All proceeds will go towards the Refuge of Hope as well as the YWCA Canton. So please stop by, show your support of our youth who are taking leadership roles in this community. We need to show them the support so that they can continue and those generations following them will also pick up the charge. So again, that is First

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Friday down at Arcade Coney as well as the skating rink, and you will also, if you donate, get a discount to go skating. So please come out and support our Canton City Youth Council. Thank you.

PRESIDENT SHERER: Thank you, Member Minor Smith. Is there any other Miscellaneous Business tonight? Hearing none...Clerk Dougherty, our quote for the week.

CLERK DOUGHERTY: Thank you, Mr. President. *“My grandmother started walking five miles a day when she was sixty. She’s ninety-seven now and we don’t know where the heck she is.” - Ellen DeGeneres (Laughter)*

PRESIDENT SHERER: That’s good. Leader Smith.

MEMBER SMITH: Mr. President, I move we adjourn.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to adjourn on that note. Mr. Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: This meeting is adjourned. *(Gavel sounds)*.

ADJOURNMENT TIME: 7:30 P.M.

ATTEST: 1/30/19

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

WILLIAM SHERER II
PRESIDENT