

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

JULY 28, 2014

ROLL CALL: All Council Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: David Dougherty, Ward 6 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O# 7 & O#8; add 2nd Rdg O#9 - O#21; O#7 & O#8 Adopted in 1st Rdg; O#17 - O#21 Adopted in 2nd Rdg; O#22 Postponed until 8/11/14)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): Reviewed Pending Issues from Public Speaks

PUBLIC SPEAKS (CITY BUSINESS): James Marshall is donating a cornerstone and a time capsule from a former Water Works building that he had demolished. The original dedication of that building was in 1937. He will deliver these items to any location requested by the city. Bruce Nordman stated that Group 175 will be out in full force to support the Charter Commission going on the ballot by helping to obtain the necessary signatures. He thanked the Members that had voted for the Charter. They would like to see public discussions taking place in the street and not here in the Council Chambers. He has petitions here if anyone is interested in signing. James Parker commended the Mayor on choosing Guanzhou, China as a sister city. He feels that this city can help Canton in many ways including our problems with opioid and heroin addicts. Steve Silver is concerned about the Animal Control or Nuisance officer that is soon to be hire. He still feels that the city should be aware of what is going to happen to the animals that get trapped and does not think animals should be killed for walking across a lawn.

INFORMAL RESOLUTIONS:

33. COUNCIL-AS-A-WHOLE: AUTHORIZE MAYOR TO ENTER INTO AGMT & EXECUTE DOCUMENTS TO PARTICIPATE IN THE BROWNFIELD COALITION & IMPLEMENT THE GRANT. - ADOPTED

COMMUNICATIONS:

314. APPLICANT, DENNIS R AND CAROLYN COPELAND: REQ ZONE CHG AT 915 WERTZ AVE NW FROM B-3 (GEN BUS) TO PB-4 (PLANNED SPECIAL BUS) FOR AUTO BODY REPAIR & AUTO REPAIR IN WARD 3. - PLANNING COMMISSION
315. COUNCIL-AT-LRG MBR HART: REQ PARK DIRECTOR GORDON & CITY ARBORISTS TO DESIGN A PLAN TO REMOVE DEAD TREES AND LIMBS FROM STADIUM PARK. - RECEIVED & FILED
316. DEPT OF COMMERCE: ADVISING NEW C-1-2 PERMIT FOR K O G S DRIVE THRU, INC @ 3101 6TH ST SW, 1ST FL ONLY WILL MOVE FORWARD AFTER OBJECTION WAS OVERRULED. - RECEIVED & FILED
317. DEPUTY MAYOR WILLIAMS: AUTHORIZE SERV DIR TO ENTER INTO LOAN AGMT IN AMT NOT TO EXCEED \$2,000,000.00 BETWEEN CITY OF CANTON AND HISTORIC ONESTO, LLC IN ORDER TO PROVIDE GAP FINANCING TO HISTORIC ONESTO, LLC; REQUEST AN ORDINANCE BE CREATED AND AMEND SECTION 181.7 OF CODIFIED ORDINANCES OF CANTON TO ALLOW REVENUE BOND ANTICIPATION NOTES TO BE USED FOR FUNDING OF PROJ. - FINANCE COMMITTEE
318. LAW DIRECTOR MARTUCCIO: AUTHORIZE LAW DIRECTOR TO PREPARE RESOLUTION TO NOTIFY PROP OWNER OF 1117 8TH ST NW TO REPAIR HAZARDOUS SIDEWALK OR BE ASSESSED COSTS IF REPAIRED BY THE CITY. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
319. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF C1 C2 PERMIT FROM A&K LUCKYSTAR INC DBA B&B SUPERMARKET @ 636 CHERRY AVE NE TO SHA B INC DBA B&B DRIVE THRU @ 636 CHERRY AVE NE. - RECEIVED & FILED
320. MAYOR HEALY: REQ APPROVAL OF RE-APPT OF CHARLES DEGRAFF TO STARK AREA REGIONAL TRANSIT AUTHORITY BOARD FOR 3 YR TERM FROM 9/1/14 - 8/31/17. - PERSONNEL COMMITTEE
321. MAYOR HEALY: ADVISE OF RE-APPT OF EMIL ALECUSAN TO MAYOR'S NEIGHBORHOOD COMMISSION FOR 1 YR TERM FROM 7/1/14 - 6/30/15. - RECEIVED & FILED
322. MAYOR HEALY: ADVISE OF RE-APPT OF SUE MEISTER TO MAYOR'S NEIGHBORHOOD COMMISSION FOR 1 YR TERM FROM 7/1/14 - 6/30/15. - RECEIVED & FILED
323. MAYOR HEALY: ADVISE OF RE-APPT OF JOYCE SURLIN TO MAYOR'S NEIGHBORHOOD COMMISSION FOR 1 YR TERM FROM 7/1/14 - 6/30/15. - RECEIVED & FILED
324. MAYOR HEALY: ADVISE OF RE-APPT OF TINA ZENEDES TO MAYOR'S NEIGHBORHOOD COMMISSION FOR TERM OF 7/1/14 - 6/30/16. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

325. MAYOR HEALY: ADVISE OF RE-APPT OF DIANE WISSUCHEK TO MAYOR'S NEIGHBORHOOD COMMISSION FOR TERM OF 7/1/14 - 6/30/16. - RECEIVED & FILED
326. MAYOR HEALY: ADVISE OF RE-APPT OF REV. ACE GILLEMS TO MAYOR'S COMMUNITY RELATIONS COMMISSION FOR 2 YR TERM OF 7/1/14 - 6/30/16. - RECEIVED & FILED
327. SAFETY DIRECTOR PERRY: AUTHORIZE LEGISLATION TO CAUSE THE DEMO LIENS, ASSESSMENTS, PENALTIES & INTEREST TO BE DISCHARGED FOR PARCEL LOT #02-21664 (BEDFORD AVE SW). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
328. SERVICE DIRECTOR BARTOS: APPROVE PUBLIC AUCTION FOR CITY PROP NO LONGER VIABLE FOR PARK USE (ECONOMY CT NE, TIOGA PL NW, 2 ON LAWN AVE SW, MARION AVE SW AND 46TH ST NW). - PUBLIC PROPERTY CAPITAL IMPROVEMENT & PARKS AND RECREATION COMMITTEES
329. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO CONTRACT FOR PURCHASE OF SNOW PLOWS; AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO CONTRACT FOR PURCHASE OF SALT SPREADERS; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR PURCHASE OF ITEMS IN ACCORDANCE WITH ORC 125.04 OR ORC 5513.01; MAKE A \$75,000.00 SUPP APPROP FROM UNAPPROP BAL 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 202210 - STREET MAINT - OTHER; AND AUTHORIZE THE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
330. SERVICE DIRECTOR BARTOS: RATIFY ACTIONS TAKEN & ALL CONTRACTS EXECUTED TO ADDRESS EMERGENCY SITUATION IN ACCORDANCE WITH SECTION 105.04 OF CANTON CODIFIED ORDINANCES; AUTHORIZE CITY TO REC GRANT FUNDS FOR PROJ FROM OPWC; AUTHORIZE AUDITOR TO ESTABLISH & CREATE 4576 FUND (32ND ST/OVERBROOK CT NW STORM SEWER REPAIR PROJ, GP 1213); MAKE \$69,536.00 SUPP APPROP FROM UNAPPROP BAL 4576 (32ND ST/OVERBOOK CT NW STORM SEWER REPAIR PROJ, GP 1213 FUND) TO 4576-202099 (32ND ST/OVERBROOK CT NW STORM SEWER REPAIR PROJ, GP 1213 FUND & ORGANIZATION - OTHER); AUTHORIZE AUDITOR TO PAY MORAL OB TO LAYNE INLINER, LLC FOR AMT NOT TO EXCEED \$86,920.00; AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
331. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 6/30/14. - RECEIVED & FILED
332. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 5/31/14. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. ESTABLISH FAIR REUSE VALUE OF TWO PARCELS OF CITY OWNED PROP; AUTHORIZE SALE AND CONVEYANCE OF SAID PROP; EMERGENCY (PARCEL #'S 02-32362 & 02-32363 ON CORNER OF E TUSC & COLE AVE FOR JAMES HOSENBACKEZ)
Referred to Community & Economic Development Committee
- 1ST RDG 2. ESTABLISH FAIR REUSE VALUE OF ONE PARCEL OF CITY OWNED PROP; AUTHORIZE SALE & CONVEYANCE OF SAID PROP; EMERGENCY (PARCEL #02-21072 ON WINFIELD WAY NE FOR JRC (FORMERLY JR COLEMAN))
Referred to Community & Economic Development Committee
- 1ST RDG 3. AMEND O#264/2013; EMERGENCY (\$175,000.00 FROM UNAPPROP BAL 1001 GENERAL FUND TO 1001 601001 COUNCIL ADMIN - OTHER)
Referred to Finance Committee
- 1ST RDG 4. AUTHORIZE SAF DIR TO ACCEPT EQUIP AWARDED TO CANTON POLICE DEPT THROUGH A LAW ENFORCEMENT STATE HOMELAND SECURITY PROG GRANT; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 5. AUTHORIZE CITY AUDITOR TO PAY \$328.00 TO AULTWORKS FOR OCCUPATIONAL INJURIES & DRUG SCREENS; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 6. AUTHORIZE AUDITOR TO PAY A REFUND TO TIMKEN STEEL CORP IN AMT NOT TO EXCEED \$121,257.49; AMEND O#264/2013; EMERGENCY (\$121,257.49 FROM UNAPPROP BAL 5410 SEWER FUND TO 5410 207003 74711 UTILITY BILLING - OTHER)
Referred to Finance Committee

(COUNCIL RECESSED AT 8:01 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #7; RECONVENED AT 8:14 PM)

- 142/2014 7. AUTHORIZE SAF DIR TO ENTER INTO AGMT WITH STARK COUNTY COMMISSIONERS FOR PURCHASE OF 6 YR MAINT CONTRACT FOR COUNTYWIDE COMPUTER AIDED DISPATCH SYSTEM; EMERGENCY
Referred to Finance Committee

(COUNCIL RECESSED AT 8:15 PM FOR THE JUDICIARY COMMITTEE TO DISCUSS ORDINANCE #8; RECONVENED AT 8:21 PM)

- 143/2014 8. AMEND SECTION 947.22, BACKWATER RESPONSE INITIATIVE PROG, OF CODIFIED ORDINANCES OF CANTON; EMERGENCY
Referred to Judiciary Committee

ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#9 - O#21; O#17 - O#21 ADOPTED)

- 2ND RDG 9. AMEND CHAPTER 105, CONTRACTS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (FIN)
- 2ND RDG 10. ADOPT CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING DEC 31, 2015; EMERGENCY (FIN)
- 2ND RDG 11. AMEND O#264/2013 (3 SUPP APPROP - STREET, VEHICLE SELF INS, IT); (3 APPROP TRANSFERS - STREET, HARMONT SANITARY SEWER, CODE ENF); EMERGENCY (FIN)
- 2ND RDG 12. AUTHORIZE SAF DIR TO ACCEPT FROM STARK CTY SHERIFF THE 2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN AMT NOT TO EXCEED \$38,805.00; RATIFY ANY AGMT ENTERED INTO WITH STARK CTY COMMISSIONERS REGARDING DISTRIBUTION OF GRANT FUNDS; AUTHORIZE AUDITOR TO RENAME FUND 2787 TO THE 2014 BYRNE GRANT FUND; AMEND O#264/2013; EMERGENCY (FIN)
- 2ND RDG 13. AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO ONE-YR CONTRACT WITH MD STEPHENS, LLC IN AMT NOT TO EXCEED \$25,000.00; EMERGENCY (FIN)
- 2ND RDG 14. AUTHORIZE AND CONSENT TO MINOR REHAB AND MISC BRIDGE WORK ON SR 30; EMERGENCY (PS&T)
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- 2ND RDG 15. AUTHORIZE MAYOR AND/OR SERV DIR TO APPLY FOR AND ACCEPT OWNERSHIP OF 2426 - 30TH ST NE THROUGH THE STARK CTY LAND REUTILIZATION'S SIDE LOT DISPOSITION PROG; ENTER INTO AGMT FOR AND SECURE CITY OWNERSHIP OF 2560 - 30TH ST NE; ESTABLISH FAIR MARKET VALUE OF REAL PROP; AMEND O#264/2013; RESTRICT EXPLOITATION OF MINERAL RIGHTS ON THE PROP; EMERGENCY (\$114,000.00 FROM UNAPPROP BAL 5601 REFUSE OPERATING FUND TO 5601 202010 ENGINEER DAILY OPERATIONS - OTHER AND \$16,000.00 FROM UNAPPROP BAL 5410 SEWER OPERATING FUND TO 5410 202010 ENG DAILY OPERATIONS - OTHER) (FIN & E&PU)
- 2ND RDG 16. AMEND SECTION 181.05, RETURN AND PAYMENT OF TAX; REFUND, OF THE CODIFIED ORDINANCES (JUD)
- 144/2014 17. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT TO FAIRCREST SANITARY SEWER PROJECT, GP 1142 AND NEGOTIATE & SECURE THE SANITARY SEWER EASEMENTS/PROP OWNERSHIP ON BEHALF OF CITY; AMEND O#264/2013; EMERGENCY (4 SUPP APPROPS, INTERFUND TRANSFERS & APPROP TRANSFER) (FIN)
- 145/2014 18. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH CT CONSULTANTS IN AMT NOT TO EXCEED \$114,900.00; AMEND O#264/2013 (FROM UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 DISTRIBUTION MAINT - OTHER); EMERGENCY (FIN)
- 146/2014 19. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE EAST SIDE INTERCEPTOR SANITARY SEWER REPLACEMENT PROJ (FRESHMARK), G.P. 1113 TO APPLY FOR, ENTER INTO AGMT WITH AND REC FUNDS FROM JOBS OHIO; AMEND EXISTING AND/OR ENTER INTO AGMTS WITH STARK CTY AND FRESHMARK FOR CONSTRUCTION OF PROJ; ENTER INTO AGMTS WITH FRESHMARK FOR RECEIPT OF PERM SANITARY SEWER EASEMENTS AND TO VACATE EXISTING EASEMENTS; AMEND O#264/2013; EMERGENCY (FIN)
- 147/2014 20. AMEND O# 264/2013 (\$6,800.00 FROM UNAPPROP BAL OF THE 2219 EMERGENCY SHELTER GRANT FUND TO 2219 506001 EMERGENCY SHELTER GRANT - OTHER); EMERGENCY (C&ED)
- 148/2014 21. AUTHORIZE MAYOR AND/OR SERV DIR TO ACCEPT UP TO TWENTY-ONE (21) NEIGHBORHOOD STABILIZATION PROGRAM (NSP) HOUSES AND ONE (1) HOME HOUSE; AUTHORIZE SALE OF PROP; TO ADVERTISE AND ENTER INTO CONTRACTS FOR THE MGMT OF ANY REMAINING RENTAL UNITS; EMERGENCY (C&ED)

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

- 8/11/14** 22. VACATE A PORTION OF AMERMAN PL NE; APPROVE & ACCEPT REPLAT OF VACATED STREET AND LOTS 4162 - 4166, 17604, 17616 AND 17617; EMERGENCY (FROM EAST LINE OF PIEDMONT AVE NE TO WEST LINE OF WALNUT AVE NE FOR HUTTON GROWTH ONE, LLC)
- 149/2014** 23. APPROVE STATEMENT OF SERVICES TO PROVIDE TO THE PROP OWNER IN GEORGE HALAS DRIVE ANNEXATION AREA, APPROX DATE SERV WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO CITY OF CANTON; EMERGENCY
- 150/2014** 24. AUTHORIZE THE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AMT NOT TO EXCEED \$200,000.00 FOR WORK TO BE PERFORMED AT FORMER RTI FACILITY UNDER CLEAN OHIO ASST FUND; AMEND APPROP O#264/2013; EMERGENCY (\$200,000.00 FROM UNAPPROP BAL 2814 CLEAN OHIO FUND TO 2814 506001 CLEAN OHIO - OTHER)
- 151/2014** 25. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO A JOB CREATION TAX INCENTIVE AGMT WITH UNITED WAY OF STARK COUNTY PURSUANT TO CITY'S INCENTIVE PROG; EMERGENCY
- 152/2014** 26. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE GRANT IN AMT NOT TO EXCEED \$175,000.00 FOR ECONOMIC & CIVIC DEVELOPMENT FOR CITY; EMERGENCY
- 153/2014** 27. AMEND O#264/2013 (\$338,795.55 FROM 2214 UNAPPROP BAL OF HOME FUND TO 2214 506001 HOME - OTHER)
- 154/2014** 28. AMEND APPROP O#264/2013; AUTHORIZE MAYOR, SERV DIR AND/OR CANTON PARK COMM TO ENTER INTO COOP AGMT WITH GERVASI VINEYARDS FOR OPERATION, UTILIZATION & MAINTENANCE OF TRAILHEAD; EMERGENCY (\$8,731.62 FROM UNAPPROP BAL 2181 GERVASI 1700 LLC TIF FUND TO 2181 202001 GERVASI 1700 LLC TIF - OTHER)
- 155/2014** 29. AUTHORIZE MAYOR, SAF DIR, AND/OR SERV DIR TO NEGOTIATE & ENTER INTO CONTRACT WITH RUNCANTON, INC; EMERGENCY_____

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, August 11, 2014 in Council Caucus Room at 6:30 PM**

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

MISCELLANEOUS BUSINESS: Member Smuckler commends the Administration for the Faircrest Sanitary sewer project. He has also wanted this 9-1-1 regionalized system for quite some time. Member West stated that there are some trees along Cherry between 5th and 6th Streets NE that have been hacked and have a lot of missing bark. The Arborists has asked that cameras be placed in that area. Service Director Bartos stated he would check into this issue. Member Hart says that it is refreshing to see the city and county working together on projects. The sense of cooperation for the health, safety and welfare of the residents is a good thing. He thanked Mr. Marshall for his donation to the city in providing a piece of Canton's history and asked that in the future if we are disposing of any property that it is inspected for any items that should remain in the city's possession.

ADJOURNMENT: 8:46 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 11, 2014 @ 7:30 PM