

**FINAL**  
**A G E N D A**  
7:30 PM

CANTON CITY COUNCIL

AUGUST 11, 2014

**ROLL CALL:** All Members Present

**MOTION TO EXCUSE MEMBERS:** President Schulman Absent

**INVOCATION:** John Mariol, Ward 7 Council Member

**PLEDGE OF ALLEGIANCE:** President Pro Tem Morris

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2nd Rdg O#4 - O#9; Communication #337 Withdrawn; O#9 Adopted in 2<sup>nd</sup> Rdg; O#144/2014 Reconsidered & Amended, O#11, O#14, O#17 & O#18 Adopted as Amended)

**PUBLIC HEARINGS:** None

**OLD BUSINESS (PUBLIC SPEAKS):** None

**PUBLIC SPEAKS (CITY BUSINESS):** Julie Sparks provided information on urban agriculture and food access to get fresh food to the citizens. There are now a few Farmer's Markets and community gardens around the city. Mobile markets and urban farms are coming up in the nation. If you see any items labeled as Start Fresh they are from J. R. Coleman. Eric Resnick spoke as the President of the Canton Joint Recreation Board. A few weeks ago he was here and felt their Board was disrespected. They work hard at providing due diligence in matters regarding this Board. If there are any questions regarding their policies or project please contact them. Bruce Nordman feels the statue outside is a great beginning to celebrate football. He was here to encourage Council to approve the loan to Steve Coon for the Onesto Hotel project. This is definitely a positive thing for the city. Mr. Coon has reached into his own pockets many times with his own funds to benefit the city and this will be a jewel when completed. Becky Murphy feels she is being punished for living in Canton yet working in Akron. She was unable to find a decent paying job in the city and now although she has 2.25% income tax withdrawn from her pay, she only receives credit for 1.7%. She feels the services in her neighborhood are not provided at the same level as services in some other neighborhoods throughout the city. She pays her taxes the same as the rest of the people. Jim Parker discussed ways of opioid therapy for heroin and crack cocaine detoxification. He also feels that acupuncture should be considered for treatment.

**INFORMAL RESOLUTIONS:**

34. PERSONNEL COMMITTEE: RE-APPT CHARLES DEGRAFF TO STARK AREA REGIONAL TRANSIT AUTHORITY BOARD FROM 9/1/14 - 8/31/17. - ADOPTED

**COMMUNICATIONS:**

333. AUDITOR MALLONN: CORRECTION OF AMENDED CERT FROM 4/11/14. - RECEIVED & FILED

334. AUDITOR MALLONN: REQ FOR ADDTL AMENDED CERT FOR 7/28/14. - RECEIVED & FILED

335. AUDITOR MALLONN: MNTHLY RPT BY FUND 7/1/14 - 7/31/14. - RECEIVED & FILED

336. AUDITOR MALLONN: YRLY RPT BY FUND 1/1/14 - 7/31/14. - RECEIVED & FILED

337. COMM DEV DIRECTOR MILLER: ESTABLISH FAIR REUSE VALUE OF PARCELS OF REAL PROP & AUTHORIZE THE DISPOSITION OF SAID PROP (PARCEL #225695 @ 402 RAYNOLDS PL SW; PARCEL #228723 @ 442 WAYNESBURG DR SE; PARCEL #233228 @ 2114 3<sup>RD</sup> ST NE; PARCEL #202030 @ 1601 19<sup>TH</sup> ST NE) ALL FOR \$1.00 TO STARK COUNTY LAND REUTILITZATION CORP. - WITHDRAWN

338. CNCL-AT-LRG MBR HART: ESTABLISH BRICK STREET REPAIR PROG IN CANTON. - RECEIVED & FILED

339. DEPT OF COMMERCE: NOTICE OF HRG ON TRANSFER OF C-1-2 PERMIT FOR SSP OF CANTON, INC. DBA S & K MINI MART @ 1735 CLEVELAND AVE NW ON 9/3/14 AT 2:00 PM @ DEPT OF JOB & FAMILY SERV, 221 3<sup>RD</sup> ST SE. - RECEIVED & FILED

340. DEPT OF COMMERCE: NOTICE OF HRG ON TRANSFER OF C-1-2, D-6 PERMIT FOR HARMONT QUICK STOP, LLC DBA HARMONT QUICK STOP @ 3325 HARMONT AVE NE ON 9/3/14 AT 1:00 PM @ DEPT OF JOB & FAMILY SERV, 221 3<sup>RD</sup> ST SE. - RECEIVED & FILED

341. DEPUTY MAYOR WILLIAMS: CONTINUE CONTRACTUAL AGMT WITH CITY OF CANTON AND CCIC IN AMT NOT TO EXCEED \$250,000.00. - FINANCE COMMITTEE

342. 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. ADMINISTERED BY CCIC; APPROVE ISSUANCE OF REVENUE BOND ANTICIPATION NOTE FOR PURPOSE OF FUNDING SAID LOAN; REQ FUNDS BE ESTABLISHED TO DISTRIBUTE PAYMENTS & REC REPAYMENTS; REQ \$2,000,000.00 SUPP APPROP FROM NEW FUND TO DISTRIBUTE PROCEEDS OF NOTE; ALLOW ADEQUATE STOP GAP FINANCING AND AMEND SECTION 181.14(C) OF CODIFIED ORDINANCE OF CITY OF CANTON TO PERMIT CAPITAL IMPROVEMENT FUND TO REPAY OBLIGATIONS. - FINANCE COMMITTEE

343. DEPUTY MAYOR WILLIAMS: REQ WITHDRAW OF COM #317 FROM 7/28/14 AGENDA. - RECEIVED & FILED

**COMMUNICATIONS CONTINUED:**

344. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT WITH STONE CROSSING CARE CTR FOR NEW JOB CREATION INCENTIVE PROG PART OF ECONOMIC GROWTH INITIATIVE TO CREATE 50 NEW JOBS OVER NEXT 5 YRS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
345. SAFETY DIRECTOR PERRY: AUTHORIZE REPEAL OF SECTION 133.051 OF CODIFIED ORDINANCES WHICH PERMITS BILLING FOR FIRE DEPT SERV PROVIDED AT MOTOR VEHICLE ACCIDENTS. - JUDICIARY COMMITTEE
346. SERVICE DIRECTOR BARTOS: REQ CERTIFICATION OF PROP TAXES TO COUNTY AUDITOR FOR DELINQUENT WATER & SEWER CHARGES. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
347. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR JULY 2014 TO AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED
348. TREASURER PEREZ: RPT OF PARKING METER REV FOR JULY 2014. - RECEIVED & FILED
349. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 7/31/14. - RECEIVED & FILED
350. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 6/30/14. - RECEIVED & FILED
351. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 7/31/14. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

- 1<sup>ST</sup> RDG 1. AUTHORIZE & ORDER SIDEWALK REPAIRS UPON SERV OF RESOLUTION; AUTHORIZE SERV DIR TO EFFECT SAID REPAIRS IS NOT COMPLETED; AUTHORIZE CLERK OF COUNCIL TO ASSESS & CERTIFY COSTS TO COUNTY AUDITOR AS A TAX LIEN; EMERGENCY (1117 8<sup>th</sup> St NW)  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZE DISCHARGE OF DEMO LIEN, ASSESSMENTS, PENALTIES & INTEREST ON PROP KNOWN AS PARCEL #02-21664 ON BEDFORD SW; EMERGENCY  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 3. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO CONTRACT FOR PURCHASE OF SNOW PLOWS & SALT SPREADERS; AUTHORIZE MAYOR AND/OR DIR TO ALTERNATIVELY PURCH SAID SNOW PLOWS & SALT SPREADERS PURSUANT TO STATE COOP PURCHASING AGMT; AMEND APPROP O#264/2013; EMERGENCY  
Referred to Public Property Capital Improvement Committee

**ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#4 - O#9; O#9 ADOPTED)**

- 2<sup>ND</sup> RDG 4. 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) (C&ED)
- 2<sup>ND</sup> RDG 5. AMEND O#264/2013; EMERGENCY (\$175,000.00 FROM UNAPPROP BAL 1001 GENERAL FUND TO 1001 601001 COUNCIL ADMIN - OTHER) (FIN)
- 2<sup>ND</sup> RDG 6. AUTHORIZE SAF DIR TO ACCEPT EQUIP AWARDED TO CANTON POLICE DEPT THROUGH A LAW ENFORCEMENT STATE HOMELAND SECURITY PROG GRANT; EMERGENCY (PPCI)
- 2<sup>ND</sup> RDG 7. AUTHORIZE CITY AUDITOR TO PAY \$328.00 TO AULTWORKS FOR OCCUPATIONAL INJURIES & DRUG SCREENS; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 8. 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) (FIN)
- 156/2014 9. 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)) (C&ED)

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

- 144/2014 10. 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)

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

**157/2014** 11. 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)

**158/2014** 12. AMEND CHAPTER 105, CONTRACTS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

**159/2014** 13. ADOPT CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING DEC 31, 2015; EMERGENCY

**AMENDED AS**

**160/2014** 14. AMEND O#264/2013 (3 SUPP APPROP - STREET, VEHICLE SELF INS, IT); (3 APPROP TRANSFERS - STREET, HARMONT SANITARY SEWER, CODE ENF); EMERGENCY

**161/2014** 15. 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

**162/2014** 16. 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

**AMENDED AS**

**163/2014** 17. AUTHORIZE AND CONSENT TO MINOR REHAB AND MISC BRIDGE WORK ON SR 30; EMERGENCY

**AMENDED AS**

**164/2014** 18. AUTHORIZE MAYOR AND/OR SERV DIR TO APPLY FOR AND ACCEPT OWNERSHIP OF 2426 - 30<sup>TH</sup> ST NE THROUGH THE STARK CTY LAND REUTILIZATION'S SIDE LOT DISPOSITION PROG; ENTER INTO AGMT FOR AND SECURE CITY OWNERSHIP OF 2560 - 30<sup>TH</sup> ST NE; ESTABLISH FAIR MARKET VALUE OF REAL PROP; AMEND O#264/2013; RESTRICT EXPLOITATION OF MINERAL RIGHTS ON THE PROP; EMERGENCY (\$144,000.00 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)

**165/2014** 19. AMEND SECTION 181.05, RETURN AND PAYMENT OF TAX; REFUND, OF THE CODIFIED ORDINANCES

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, August 25, 2014 in Council Caucus Room at 6:45 PM**

- 1) Community & Economic Development Committee
- 2) Public Property Capital Improvement Committee
- 3) Public Safety & Thoroughfares Committee

**MISCELLANEOUS BUSINESS:** Member West requested a moment of silence for the Martin and Gonzalez families as well as the driver of the truck and his family for the tragedy over the weekend. ***(Moment of silence observed)*** He also requested that all Council Members get behind a project to pave Fulton Road as they have in the past for the Sherrick Road or Harrisburg Road projects. Member Fisher thanked Member West and Member Mariol for attending a Town Hall at Habitat for Humanity a few weeks ago. This was very well attended and very enlightening. He was really surprised at all they do. Member Hart congratulated an Eagle Scout in the audience for his achievements. Law Director Martuccio stated that Council should be grateful for all of the amendments because that means that the Department Heads are actually reading the legislation and are able to make corrections before passage. Member Smith thanked all of the city service departments and the Police for all of their efforts during Hall of Fame week.

**ADJOURNMENT:** 8:19 P.M.

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 25, 2014 @ 7:30 PM**