

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

SEPTEMBER 15, 2014

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Chris Smith, Ward 4 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#9 & O#10; 2nd Rdg O#11 - O#27; O#9 & O#10 Adopted on 1st Rdg; O#29 Adopted as Amended)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Pastor Carrie Brown spoke on behalf of Pastor W.C. Henderson and how much he mentored the other African American Pastors in this area. Pastor Henderson was a great man and deserves to have a street named after him. Richard Albano talked on the proposed park at St. Marks Church. The idea that having this playground will bring prostitutes and homeless to this area is just nonsense. Dan Ablett has lived in his home for 22 years and he is sorry to hear of the bullying tactics in his neighborhood. He has received mail from neighbors with biased views on the playground at St. Marks and he feels the real facts are not being shared. This small park will not create a neighborhood traffic jam. John Scholl likes the idea of sprucing up this playground that already exists at St. Marks. He would like a place to take his grandchildren. He has found studies that show that parks and playgrounds create safer neighborhoods and he supports this proposal. James Parker commends Member Mack for putting ideas out there. The playground at Skyline Terrace needs a lot of work and he feels that perhaps Member Mack could help Member Smith to get something going so the children in that area have a nice, safe place to play. Henry Preston had a lawn service company park in front of his home at 7:10 am and he told them he did not want any of that equipment running before 8:00 or he would call the Police Department. The worker did start the equipment and the police were called but Mr. Preston was told the Noise Ordinance did not cover lawnmowers. He would now like for Council to amend this Ordinance to include mowers, jackhammers, power saws and other types of loud equipment. Barbara Abbott owns Canton Food Tours and has brought over 2,500 people into downtown. She is always asked about the Onesto Hotel building. Since the Arts have laid down the foundation, downtown living is the next step to advance Canton. She urges all to back Steve Coon and help preserve a major downtown building.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

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| 399. | AGENT FOR PETITIONERS SLIMAN: | REQ WITHDRAW OF COMMUNICATION #378 FROM THE 9/8/14 AGENDA FOR GEORGE HALAS DR ANNEXATION. - RECEIVED & FILED |
| 400. | COUNCIL PRESIDENT SCHULMAN: | AMEND O#88/2012 TO CREATE PRICE REDUCTION AT CORNERSTONE PARKING GARAGE FOR STARK STATE STUDENTS ON 100 SPACES TO \$15.00 PER MONTH. - FINANCE AND JUDICIARY COMMITTEES |
| 401. | MAYOR HEALY: | AMEND CITY ORDINANCE 181.13 PARAGRAPH (b) TO WAIVE RESIDENCY REQUIREMENT OF ROBERT FAY TO THE INCOME TAX BOARD FOR HIS CURRENT TERM OF 3/1/12 - 2/28/16. - PERSONNEL AND JUDICIARY COMMITTEES |
| 402. | MAYOR HEALY: | AUTHORIZE APPT OF CHRISTY SHONK TO FAIR HOUSING COMMISSION FOR 5 YR TERM OF 10/1/14 - 9/30/19. - PERSONNEL COMMITTEE |
| 403. | PLANNING COMMISSION: | REQ FOR CITYWIDE ZONE CHANGE FOR 13 PROP; ALL HAVE BEEN RECOMMENDED FOR APPROVAL BY THE PLANNING COMM AT THE 9/9/14 MEETING. - JUDICIARY COMMITTEE |
| 404. | PLANNING COMMISSION: | RECOMMEND APPROVAL OF ZONE CHG FROM B- 3 (GENERAL BUSINESS) FROM PB-4 (PLANNED SPECIAL BUSINESS) AT 915 WERTZ AVE NW (DENNIS R & CAROLYN J COPELAND). - JUDICIARY COMMITTEE |
| 405. | SAFETY DIRECTOR PERRY: | AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ENTER INTO CONTRACT WITH AULTCARE CORP AND UMR INC FOR MEDICAL CLAIMS ADMIN TO PPO NETWORKS; THAT LEGISLATIVE AUTHORITY TO ENTER INTO THESE CONTRACTS, PURSUANT TO O#9/2013 IS REENACTED, ADOPTED & RATIFIED WITH SAME BINDING LEGAL FORCE & VALIDITY; AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE |
| 406. | SAFETY DIRECTOR PERRY: | AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO CONTRACT FOR SALE OF LAND AND STRUCTURE AT 1840 MARKET AVE N (PARCEL #280824 - FORMER FIRE STATION). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE |
| 407. | SERVICE DIRECTOR BARTOS: | AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO COOP AGMT WITH STARK COUNTY BOARD OF COMMISSIONERS FOR JOINT PROJ AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (WERNER CHURCH RD & BRIDGE REALIGNMENT PROJ). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE |

COMMUNICATIONS CONTINUED:

408. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER 2 IN AMT OF \$418,635.00 WITH ARCADIS US INC FOR 12TH ST NW, BRIDGE REPLACEMENT & STREETScape PROJ, PID 90671, GP 1160; AUTHORIZE MAYOR AND OR SERV DIR TO ENTER INTO COOP AGMT WITH OTHER PROJ STAKEHOLDERS INCLUDING BUT NOT LIMITED TO SARTA, COUNTY ENG & ADJACENT PROP OWNERS AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
409. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR MONTH OF AUGUST 2014. - RECEIVED & FILED
410. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 8/31/14. - RECEIVED & FILED
411. TREASURER PEREZ: RPT FOR AMBULANCE LOCK BOX ACCT FOR AUGUST 2014. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE AUDITOR TO PAY AN AMT NOT TO EXCEED \$147,618.55 TO BROWNFIELD RESTORATION GROUP (RTI); EMERGENCY
Referred to Finance Committee
- 1ST RDG 2. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, REC BIDS AND ENTER INTO A CONTRACT FOR LEASE OF APPROXIMATELY 382 SQ FT OF COMM SPACE LOCATED @ 204 WALNUT AVE SE IN ORDER TO PROVIDE A SNACK BAR/CONCESSION STAND; EMERGENCY
Referred to Finance Committee
- 1ST RDG 3. AMEND APPROP O#264/2013; EMERGENCY (\$25,000.00 FROM UNAPPROP BAL OF 2323 PREP GRANT TO 2323 PREP GRANT - OTHER)
Referred to Finance Committee
- 1ST RDG 4. AUTHORIZE MAYOR OR SERV DIR TO APPLY FOR, ENTER INTO AGMT FOR AND ACCEPT THE 2014 RECYCLING MAKES SENSE GRANT FROM THE STARK-TUSC-WAYNE JOINT SOLID WASTE MGMT DISTRICT; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCHASE OF TWO TANDEM VIBRATORY ROLLERS AND TWO TRAILERS FOR TRANSPORTATION OF SAID ROLLERS; AUTHORIZE MAYOR AND/OR SERV DIR TO ALTERNATIVELY PURCHASE SAID EQUIPMENT PURSUANT TO STATE COOP PURCHASE AGMT; AMEND APPROP O#264/2013; EMERGENCY (\$44,000.00 FROM UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 202210 STREET MAINTENANCE - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 6. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR ALLENFORD DR WEST SIDE SANITARY SEWER REPAIR AND STREAM BANK STABILIZATION PROJ, GP 1114 AND ENTER INTO COOP AGMTS WITH STARK COUNTY COMMISSIONERS AND NORTH CANTON; AMEND APPROP O#264/2013; EMERGENCY (\$2,500,000.00 FROM UNAPPROP BAL 5410 SANITARY SEWER FUND TO 5410 206310 ALLENFORD DR SANITARY SEWER REPAIR, GP 1114 - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 7. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCHASE OF ALL WHEEL DRIVE SUV OR ENTER INTO CONTRACT FOR PURCHASE OF SAID VEHICLE IF IT CAN BE PURCHASED FOR LESS THAN \$20,000.00 THRESHHOLD WHICH REQUIRES COMPETITIVE BIDDING; AUTHORIZE MAYOR OR SERV DIR TO ALTERNATIVELY PURCHASE SAID VEHICLE PURSUANT TO STATE COOP PURCH AGMT; EMERGENCY (ENGINEERING DEPT)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 8. AMEND SECTION 181.08, DUTIES, OF TREASURER AND INCOME TAX DIR AND SECTION 181.09, INVESTIGATIONS; INFORMATION CONFIDENTIAL; PENALTY FOR DIVULGENCE; RECORDS TO BE KEPT FOR FIVE YEARS; OF THE CODIFIED ORDINANCES
Referred to Judiciary Committee

(COUNCIL RECESSED AT 8:01 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #9; RECONVENED AT 8:04 PM)

- 179/2014 9. AMEND APPROP O#264/2013; EMERGENCY (\$87,375.00 SUPP APPROP FROM UNAPPROP BAL OF 2216 FHAP FY 13 PARTNERSHIP PROJ GR FUND TO \$55,000.00 2216 505010 FAIR HOUSING DEPT - PERSONNEL & \$32,375.00 2216 505010 FAIR HOUSING DEPT - OTHER AND \$50,000.00 APPROP TRANS FROM 2215 505010 FAIR HOUSING DEPT - PERSONNEL TO UNAPPROP BAL 2215 FAIR HOUSING DEPT)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

(COUNCIL RECESSED AT 8:04 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #10; RECONVENED AT 8:19 PM)

- 180/2014 10. AMEND APPROP O#264/2013; EMERGENCY (\$100,000.00 FROM UNAPPROP BAL 4501 CAPITAL FUND TO 4501 202260 STREET PAVING - OTHER)
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#11 - O#27)

- 2ND RDG 11. REPEAL SECTION 133.051; CHARGE FOR PUBLIC SAFETY SERV AT SCENES OF MOTOR VEHICLE ACCIDENTS; APPEAL, OF THE CODIFIED ORDINANCES (JUD)
- 2ND RDG 12. AMEND PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (CITY-WIDE ZONING) (JUD) **PUB HRG 9/29/14 @ 7:30 PM**
- 2ND RDG 13. ESTABLISH FAIR REUSE VALUE OF FOUR PARCELS OF CITY OWNED PROPERTY; AUTHORIZE SALE AND CONVEYANCE OF SAID PROP; EMERGENCY (PARCELS #225695; #228723; #202030, AND #233228) (C&ED)
- 2ND RDG 14. AMEND EXHIBIT A TO O#40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; EMERGENCY (DEPT 50CD DIV OF COMMUNITY & ECONOMIC DEVELOPMENT & PLANNING MANAGEMENT) (PER)
- 2ND RDG 15. AMEND APPROP O#264/2013; EMERGENCY (\$7,035.00 FR 2423 701001 COURT CAPITAL/SPECIAL PROJECTS - OTHER TO 2423 701001 COURT CAPITAL/SPECIAL PROJECTS - PERSONNEL - \$5950.00; TO 2423 701001 COURT CAPITAL/SPECIAL PROJECTS - \$832.00; TO 2423 701001 COURT CAPITAL/SPECIAL - PERSONNEL - \$165.00; TO 2423 701001 COURT CAPITAL/SPECIAL - PERSONNEL - \$88.00); (\$8,275.00 FR 2766 701001 MUNICIPAL PROBATION SERVICE - OTHER TO 2766 701001 MUNICIPAL PROBATION SERVICE - PERSONNEL - \$7,000.00; TO 2766 701001 MUNICIPAL PROBATION - PERSONNEL - \$980.00; TO 2766 701001 MUNICIPAL PROBATION - PERSONNEL - \$193.00; TO 2766 701001 MUNICIPAL PROBATION - PERSONNEL - \$102.00) (PPCI & FIN)
- 2ND RDG 16. AMEND APPROP O#264/2013; EMERGENCY (\$250,000.00 FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 852002 TREAS. GROWTH INIT SETTLEMENT - OTHER) (FIN)
- 2ND RDG 17. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH AMBAFLEX MANUFACTURING, INC TO PROVIDE ECONOMIC DEVELOPMENT GRANT BASED ON JOB CREATION IN AMT NOT TO EXCEED \$125,000.00; EMERGENCY (C&ED)
- 2ND RDG 18. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH I²R POWER COMPANY TO PROVIDE ECONOMIC DEVELOPMENT GRANT BASED ON JOB CREATION IN AMT NOT TO EXCEED \$125,000.00; EMERGENCY (C&ED)
- 2ND RDG 19. AMEND APPROP O#264/2013, AS AMENDED, BY MAKING SUPPLEMENTAL APPROP, APPROP TRANSFER AND INTRAFUND TRANSFER HEREIN DESCRIBED; EMERGENCY (\$2,000.00 FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 201015 ANNEXATION; \$25,000.00 FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 852001 TREASURER - ADMIN; \$40,000.00 FR UNAPPROP BAL OF 6041 DMV FUND TO 6041 103001 FIRE-ADMINISTRATION; \$23,000.00 FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 753001 LAW-ADMINISTRATION; INTRAFUND TRANS OF \$40,000.00 FR 1001 GENERAL FUND TO 1105 POLICE SETTLEMENT FUND; APPROP TRANS OF \$17,000.00 FR 1001 801010 AUDITOR - LEGALLY BINDING EXP TO 1001 753001 LAW-ADMINISTRATION) (FIN)
- 2ND RDG 20. AUTHORIZE CANTON CITY BOARD OF HEALTH AND/OR HEALTH COMM TO ENTER INTO PROF SERV CONTRACT IN AMT NOT TO EXCEED \$40,000.00 WITH NATIONAL ORGANIZATION OF URBAN MATERNAL AND CHILD HEALTH LEADERS (CITYMATCH), OF THE UNIVERSITY OF NEBRASKA MEDICAL CENTER, FOR PURPOSES OF PROVIDING TRAINING, FACILITATION AND TECHNICAL ASSISTANCE FOR STARK COUNTY EQUITY INSTITUTE FOR INFANT MORTALITY; EMERGENCY (FIN)
- 2ND RDG 21. AMEND APPROP O#264/2013; EMERGENCY (\$9,000.00 FR UNAPPROP BAL OF 2323 PREP GRANT FUND TO 2323 PREP GRANT - OTHER; \$16,000.00 FR UNAPPROP BAL OF 2313 PREVENTATIVE HEALTH FUND TO 2313 PREVENTATIVE HEALTH - PERSONNEL; \$70,000.00 FR UNAPPROP BAL OF 2314 CHILD & FAMILY HEALTH FUND TO 2314 CHILD & FAMILY HEALTH - OTHER (\$50,000.00); - PERSONNEL (\$20,000.00) (FIN)
- 2ND RDG 22. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY. (1501 HENRY AVENUE SW., CANTON, OHIO FROM B-2 (NEIGHBORHOOD BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) (JUD) **PUB HRG 10/6/14 @ 7:30 PM**
- 2ND RDG 23. AMEND APPROP O#264/2013; EMERGENCY (\$13.92 FR UNAPPROP BAL OF 2769 BYRNE GRANT FUND TO 2769 102001 POLICE ADMIN - OTHER; \$20.39 FR UNAPPROP BAL OF 2771 BYRNE GRANT FUND TO 2771 102001 POLICE ADMIN - OTHER) (FIN)
- 2ND RDG 24. AUTHORIZE SAF DIR TO ENTER INTO A THREE YEAR AGMT WITH GREENTOWN VOLUNTEER FIRE DEPT TO LEASE AVAILABLE SPACE ON THE CITY'S COMMUNICATION SYSTEM; EMERGENCY (FIN)
- 2ND RDG 25. AMEND SECTION 1(K) OF O#177/2006; EMERGENCY (PETTY CASH - \$50.00; CHANGE DRAWER - \$3,000.00- TREASURER'S OFFICE) (FIN)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 26. AMEND APPROP O#264/2013; EMERGENCY (\$125,000.00 FR UNAPPROP BAL OF 4501 CAPITAL IMPROVEMENT FUND TO 4501 85-21-01 TREAS - INCOME TAX - OTHER) (PPCI)
- 2ND RDG 27. RENAME PORTION OF GIBBS AVENUE N.E. IN THE CITY OF CANTON, W.C. HENDERSON AVENUE N.E. (FROM HIGHLAND AVENUE N.E. TO TUSCARAWAS STREET) (PS&T)

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

- 181/2014 28. AUTHORIZE THE MAYOR TO ENTER INTO AN AGMT WITH THE CANTON COMMUNITY IMPROVEMENT CORP TO PROVIDE A GRANT UTILIZING GENERAL FUND DOLLARS IN AN AMT NOT TO EXCEED \$250,000.00 FOR GRANTS, LOANS AND ADMIN COSTS; EMERGENCY

AMENDED AS

- 182/2014 29. AUTHORIZE SERV DIR TO ENTER INTO A LOAN AGMT IN AN AMT NOT TO EXCEED \$2,000,000.00 WITH HISTORIC ONESTO, LLC IN ORDER TO PROVIDE GAP FINANCING TO THE HISTORIC ONESTO, LLC REDEVELOPMENT PROJECT; AUTHORIZE THE ISSUANCE OF A REVENUE BOND ANTICIPATION NOTE; AMEND CHAPTER 181.14(C); EMERGENCY.
- 183/2014 30. AUTHORIZE THE MAYOR OR SERV DIR TO ENTER INTO A JOB CREATION TAX INCENTIVE AGMT WITH STONE CROSSING CARE CENTER PURSUANT TO THE CITY'S INCENTIVE PROG; EMERGENCY.

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, September 22, 2014 in Council Caucus Room at 6:30 PM**

- 1) Finance Committee
- 2) Public Property Capital Improvement Committee
- 3) Judiciary Committee
- 4) Personnel Committee

MISCELLANEOUS BUSINESS: Deputy Mayor Williams invited all to a celebration for Ralph Hay that will be held on the corner of Cleveland Avenue and 2nd Street S on Wednesday morning. Member Smith responded to James Parker regarding Skyline Terrace. The apartments have had 3 owners in the last 10 years and now they are working on the inside of the building and the living conditions and then they will work on the playground area. She is offended that he would call this area a ghetto. Member Mack reminded all of the Ward 8 Comprehensive Plan meeting tomorrow evening at 6:00 PM at Gervasi Vineyards. Member West will be having the Ward 2 Comprehensive Plan meeting on Thursday, September 18th at the Metropolitan Center. All are invited to attend. Mr. West thanked Jesse Byrd and others for coming down in support of the traffic light at 9th Street NE and O'Jay's Parkway. They were open and honest and had 85 signatures on behalf of this light. He also thanked Pastor Carrie Brown for the petition of signatures for Pastor Henderson. Member Hart says the Market Avenue sidewalks are not matching the other cityscape projects. There are still grant funds available in Ohio Public Works for paving and also brick repair that should be looked into.

ADJOURNMENT: 8:45 P.M. _____