

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

CANTON CITY COUNCIL

OCTOBER 27, 2014

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: President Schulman Absent

INVOCATION: Thomas West, Ward 2 Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem Morris

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Reading O#9; 2nd Rdg O#11 - O#17; O#10 Retained in Committee; O#9 Adopted on 1st Reading; O#17 Adopted on 2nd Reading; O#24 Adopted as Amended)

PUBLIC HEARINGS:

7:30 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; PLANNING COMMISSION RECOMMENDED APPROVAL (CITY-WIDE ZONING)
(NO SPEAKERS) **O#221/2014**

7:31 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; PLANNING COMMISSION RECOMMENDED APPROVAL (915 WERTZ AVENUE N.W., CANTON, OHIO FROM B-3 (NEIGHBORHOOD BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) DENNIS R. AND CAROLYN J. COPELAND - WARD 3) (NO SPEAKERS) **O#222/2014**

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Tim Porter spoke about discharging the lien on 710 Wilson Place. He thinks that letting them off the hook because they said they didn't know about the demolition will just open the door for others to say they didn't know. He believes that the City should try to recoup the money for the demolition.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

- | | | |
|------|------------------------------|---|
| 463. | AUDITOR MALLONN: | REQ FOR ADDT'L AMENDED CERT DATED 10/23/14. - RECEIVED & FILED |
| 464. | COMM DEV DIR MILLER: | ESTABLISH FAIR REUSE VALUE OF A PARCEL OF REAL PROP & AUTHORIZE THE DISPOSITION OF SAID PROP (PARCEL #02-26890 AND LOTS 1758, 1759, 1760, 1761, 35139, PART OF LOT 2271 LOCATED ON 902 CHERRY AVE NE). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE |
| 465. | COURT ADMINISTRATOR KOCHERA: | AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT OF MENTAL HEALTH AND ADDICTION SERV FOR RECEIPT OF FY 2015 DRUG COURT FUNDING GRANT IN AMT OF \$41,495.00 FOR PERIOD COMMENCING 1/1/15 - 6/30/15. - FINANCE COMMITTEE |
| 466. | DEPUTY MAYOR WILLIAMS: | AUTHORIZE SAF DIR TO ENTER INTO CONTRACT WITH CBP OF STARK COUNTY, INC IN AMT NOT TO EXCEED \$15,000.00 (STARK COUNTY LAND BANK SIDE LOT PROGRAM); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE |
| 467. | HEALTH COMMISSIONER ADAMS: | REQ INTRA-FUND TRANSFERS (\$10,000.00 FROM 2318 301001 - PERSONNEL TO 2318 301001 - OTHER; \$3,000.00 FROM 2354 301001 - OTHER TO 2354 301001 - PERSONNEL). - FINANCE COMMITTEE |
| 468. | SAFETY DIRECTOR PERRY: | AUTHORIZE SAF DIR TO PAY MORAL OB FOR TRAINING AT OHIO PEACE OFFICER TRAINING ACADEMY (\$75.00 - PTL. E. STANBRO). - FINANCE COMMITTEE |

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE AUDITOR TO ESTABLISH AND CREATE 1153 HISTORIC ONESTO PROJECT LOAN FUND; AMEND APPROP O#264/2013 (\$2,000,000.00 FROM UNAPPROP BAL OF 1153 HISTORIC ONESTO PROJECT LOAN FUND TO 1153 501001 MAYOR - OTHER)
Referred to Finance Committee
- 1ST RDG 2. PROVIDE FOR ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN MAXIMUM AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$2,000,000.00 TO PROVIDE FUNDS TO MAKE LOAN FOR ECONOMIC DEVELOPMENT IN THE CITY; AUTHORIZE RELATED MATTERS (ONESTO HOTEL)
Referred to Finance Committee
- 1ST RDG 3. APPROVE STATEMENT OF SERVICES BE PROVIDED TO PROP OWNER IN LESH-EVERETT ANNEXATION AREA, APPROX DATE SERV WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY OF CANTON (ANNEXATION OF 0.4936 ACRES LOCATED IN PLAIN TOWNSHIP)
Referred to Annexation Committee
- 1ST RDG 4. AMEND APPROP O#264/2013; EMERGENCY (\$1,275,000.00 APPROP TRANSFER FROM 2211 506001 CD ADMIN - OTHER TO 2211 506002 CD DEMO - OTHER AND \$110,805.10 FROM 2211 501601 CD YOUTH DEV - OTHER TO 2211 506001 CD ADMIN - OTHER).
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 5. AMEND SECTION 1 (a) OF O#177/2006 (PETTY CASH - \$100.00, CHANGE DRAWERS - \$600.00). -
Referred to Judiciary and Finance Committees
- 1ST RDG 6. AMEND APPROP O#264/2013; EMERGENCY (\$272,000.00 SUPP APPROP FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207003 - WATER BILLING - OTHER - \$4,000.00; 5201 207010 - WATER PUMPING - PERSONNEL - \$42,000.00; 5201 207012 - WATER MAINTENANCE - OTHER - \$51,000.00, 5201 207022 - WATER DISTRIBUTION - OTHER - \$175,000.00 AND A \$4,000.00 SUPP APPROP FROM UNAPPROP BAL OF 5410 SEWER FUND TO 5410 207003 - SEWER BILLING - OTHER)
Referred to Finance Committee
- 1ST RDG 7. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONSTRUCTION CONTRACT CHANGE ORDER IN AN AMT NOT TO EXCEED \$146,909.21 WITH CENTRAL ALLIED ENTERPRISES, INC. FOR THE 55TH ST. STORM SEWER AND ROADWAY PROJECT, GP 1125; AMEND APPROP O#264/2013 (\$11,763.63 SUPP APPROP FROM UNAPPROP BAL 2181 GERVASI 1700 LLC TIF FUND TO 2181-202001 GERVASI 1700 LLC TIF FUND - ENG ADMIN - OTHER, \$78,248.04 SUPP APPROP FROM UNAPPROP BAL 4501 CAPITAL FUND TO 4501-202087 CAPITAL FUND - 55TH ST PROJ, GP 1125 - OTHER; \$30,000.00 APPROP TRANSFER FROM 4501-202001 CAPITAL FUND - ENG ADMIN - OTHER TO 4501-202087 CAP FUND - 55TH ST PROJ, GP 1125 - OTHER AND \$30,000.00 APPROP TRANSFER FROM 4501-201001 CAPITAL FUND - SERV DIR ADMIN - OTHER TO 4501-202087 CAPITAL FUND - 55TH ST PROJ, GP 1125 - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 8. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A ONE YR PROF SERV CONTRACT FOR WITH ACLARA TECH IN AN AMT NOT TO EXCEED \$27,596.00 TO PROVIDE COMPATIBLE MAINT FOR CANTON'S EXISTING AUTOMATED METER READING SYSTEM; AMEND APPROP O#264/2013 (\$16,558.00 SUPP APPROP FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207003 - WATER BILLING - OTHER; \$11,038.00 SUPP APPROP FROM UNAPPROP BAL 5410 SEWER FUND TO 5410 207003 - SEWER BILLING - OTHER)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:40 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #9; RECONVENED AT 7:42 PM)

- 219/2014 9. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD AND ENTER INTO CONTRACT FOR CURBING OF BOULEVARDS LOCATED AT & AROUND THE INTERSECTION OF 19TH ST NE AND EDWARDS AVE NE; AMEND APPROP O#264/2013 (\$70,000.00 SUPP APPROP FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202041 - 19TH & EDWARDS INTERSECTION IMPROVEMENTS, GP 1106 - OTHER)
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#11 - O#17; O#10 RETAINED IN COMMITTEE; O#17 ADOPTED ON 2ND READING)

RETAINED IN CMTE

10. AUTHORIZE SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR SALE OF LAND AND STRUCTURE AT 1840 MARKET AVENUE NORTH; EMERGENCY (OLD FIRE STATION) (PPCI)
- 2ND RDG 11. ESTABLISH FAIR REUSE VALUE OF TWO PARCELS OF CITY OWNED PROP; AUTHORIZE SALE & CONVEYANCE OF SAID PROPERTY; EMERGENCY (PARCEL #'S 02-16208 AND 02-16209 ON HARRISBURG AVE NE FOR LENA & JACK PORTER) (C&ED)
- 2ND RDG 12. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO CONTRACT FOR SALE OF LAND & STRUCTURE AT 2506 CLEVELAND AVE S; EMERGENCY (SERV CENTER) (PPCI)
- 2ND RDG 13. AMEND APPROP O#264/2013 (\$35,000.00 FROM UNAPPROP BAL 2111 STREET MAINT FUND TO 2111 104020 TRAFFIC SIGNAL - OTHER; \$85,000.00 FROM UNAPPROP BAL 6041 DMV FUND TO 6041 208010 SERVICE & REPAIR - OTHER; \$12,000.00 APPROP TRANSFER FROM 2216 505010 FAIR HOUSING DEPT - PERSONNEL TO 2216 505010 FAIR HOUSING DEPT - OTHER) (FIN)
- 2ND RDG 14. AMEND APPROP O#264/2013; EMERGENCY (\$3,800.00 SUPP APPROP FROM 2312 301001 - OTHER TO 2312 301001 - PERSONNEL AND \$8,000.00 FROM 2321 301001 - OTHER TO 2321 301001 - PERSONNEL) (HEALTH DEPT) (FIN)
- 2ND RDG 15. AUTHORIZE DISCHARGE OF DEMOLITION LIEN, ASSESSMENTS, PENALTIES & INTEREST ON PROP LOCATED 710 WILSON PL NW; EMERGENCY (C&ED)
- 2ND RDG 16. AUTHORIZE SAF DIR TO REC 2014 COPS HIRING PROG GRANT IN ESTIMATED AMT OF \$1,125,000.00; EMERGENCY (FIN)
- 220/2014 17. APPROVE & ACCEPT THE REPLAT OF PART OF OUTLOT 577; EMERGENCY (LOCATED AT AND AROUND MAHONING RD NE AND HARMONT AVE NE FOR DOLLAR GENERAL - WARD 6) (PS&T)

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

- 221/2014 18. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (CITY-WIDE ZONING) **PUB HRG 10/27/14 @ 7:30 P.M.**

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

- 222/2014** 19. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (915 WERTZ AVENUE N.W., CANTON, OHIO FROM B-3 (NEIGHBORHOOD BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) DENNIS R. AND CAROLYN J. COPELAND - WARD 3)
PUB HRG 10/27/14 @ 7:31 P.M.
- 223/2014** 20. AUTHORIZE LEGISLATION TO DISCHARGE LIENS FOR DEMOLITION, ASSESSMENTS, PENALTIES & INTEREST @ 1417 4TH STREET NE
- 224/2014** 21. AMEND O#264/2013 (\$40,000.00 SUPP APPROP FROM UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102001 POLICE ADMIN - OTHER)
- 225/2014** 22. AUTHORIZE MAYOR AND/OR SERV DIR TO PURCHASE ONE (1) VACALL AJV 1015 AT ESTIMATED COST OF \$332,000.00 THROUGH NATIONAL JOINT POWER ALLIANCE COOP PURCH AGMT IN ACCORDANCE WITH ORC 9.48 AND CANTON CODIFIED ORDINANCE SECTION 105.11
- 226/2014** 23. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH GREG MENCER FOR AMT NOT TO EXCEED \$30,000.00 (SANITARY SEWER ENGINEER)

AMENDED AS

- 227/2014** 24. ACCEPTING THE AMTS & RATES AS DETERMINED BY THE BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES AND BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES & CERTIFYING THEM TO THE COUNTY AUDITOR

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, November 3, 2014 in Council Caucus Room at 6:00 PM
Rules Committee

MONDAY, November 3, 2014 in Council Caucus Room at 6:30 PM
1) Finance Committee
2) Community & Economic Development Committee
3) Annexation Committee
4) Public Property Capital Improvement Committee
5) Judiciary Committee

MISCELLANEOUS BUSINESS: Member Hart congratulated the Central Catholic Golf Team on their tournament win. He said that the team watched a DVD which showed Members Dougherty, Smuckler, and Babcock playing golf, which showed them what NOT to do! Member Smuckler announced that although Member Hart is not violating any laws, he is housing chickens on his property, but he is missing a rooster! Member Mariol stated that if a rooster is purchased, he would buy a BB gun. President Pro Tem Morris stated that it would have to be one that he could not use, so as not to bring the animal rights people down on him. (*Laughter*). Mayor Healy stated that in reference to President Schulman asking our Legislators to come and address Council, Senator Scott Oelslager came and met with him, Member Morris, Member Mack, President Schulman, and Mayor Kathy Catazaro-Perry of Massillon last week to discuss House Bill 5 in detail. The Bill has passed in the House and is now in the Senate. Senator Oelslager believes that some version of the Bill will pass by the end of the year because they have the votes. If it passes in its current version, the City of Canton will lose approximately \$1,000,000.00 in revenue. The Mayor stated that there are some handouts that citizens can pick up and read. Member West asked if Senator Oelslager was supporting the Bill, to which Mayor Healy responded that Senator Oelslager hasn't taken any formal position. He has been able to delay the passage for over a year. The present Senate wants to move forward. Senator Oelslager told him that six or seven members will have to switch their position for it to favorably affect the City, and that he will not initiate the position change, but if six members switch, he would be the seventh. Clerk Timberlake read a letter from the family of Chris Leo (Team Leo), thanking Council for participating in the Ice Bucket Challenge. A record \$17,558.00 was raised by Team Leo and those funds will remain local to help fight ALS.

ADJOURNMENT: 8:08 PM