

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

June 1, 2015

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: John Mariol, Ward 7 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#6; add 2nd Rdg O#7 - O#17; O#6 Adopted on 1st Reading; O#26 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 (1604 HARRISBURG RD NE, CANTON OHIO FROM R-1a (SINGLE FAMILY RESIDENTIAL) TO PB-2 (PLANNED NEIGHBORHOOD BUSINESS) JACK AND LENA PORTER (HOB NOB) - WARD 9) (NO SPEAKERS) **O#106/2015**
- 7:31 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; PLANNING COMMISSION RECOMMENDED APPROVAL (1411 CHERRY AVE NE, CANTON OHIO FROM PB-3 (GENERAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) FOP MCKINLEY #2 - WARD 2) (NO SPEAKERS) **O#107/2015**
- 7:32 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; PLANNING COMMISSION RECOMMENDED APPROVAL (211 15TH St NW, CANTON OHIO FROM R-2 (TWO FAMILY RESIDENTIAL) TO PB-2 (PLANNED NEIGHBORHOOD BUSINESS) DR. JAMES D. JOHNS - WARD 9) (ONE SPEAKER) **O#108/2015**

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

PUBLIC SPEAKS (CITY BUSINESS): Jonathan Bailey spoke about the vendor's license ordinance. He said it is ridiculous for downtown because it just shuts down free enterprise. He said he cannot open his own business because he cannot get a vendor's license. He feels it is a law that purposely keeps poor people poor and it needs to be changed. However, no one will listen to him because he has no money. Bruce Nordman provided council with a list of the 48 neighborhood associations, and explained that the phone numbers were removed because while they were supposed to be used for business purposes, the information leaked out to others. He advised council to contact the officers to get the information they needed. He recognized The Repository and WHBC as two assets in the City that are well represented and do a great job. He announced that Wednesday at 1:30 PM The Repository is sponsoring a free picnic lunch at the McKinley Monument and encouraged everyone to attend. Eugene Blakely spoke about the Canton Police Department. He said there was a shooting near his residence recently and he called the police. He feels that because he has a speech impediment they treat him like a kid and get smart with him. He is tired of getting such an attitude from the police department. Mary Bennett apologized for her attitude when she last spoke before Council. She thanked Member Morris for speaking with her and her daughter earlier this evening. She spoke again about the housing issue and the terrible situation with landlords and tenants. She cares about Canton and wants to see it improve for her daughter and the next generation. She said there are code violations, houses not being registered, landlords being given money by the City, and doing nothing to improve their properties. She said that people all over the City need to see improvements. Maria Bennett spoke about the condition of a rental that she and her sister wanted to rent. They put down the security deposit, and the day they were moving in the pipes burst and water was everywhere. The garage was full of mattresses and furniture, their was yard waste, and wires hanging in the basement. When Code inspected they told her if anyone had touched the electric box, they could have been killed. They moved back in with her mother at 1220 Worley Ave NW and found it was full of bed bugs. She has contacted Fair Housing and Legal Aid. Jeff Melton is the landlord and Global Core & Associates LLC is the owner. Jackie Austin spoke about the rental at 916 6th St NW. She moved here from Detroit and has had to keep moving because of the landlords. She recently received a 30 day notice to leave just because she has requested that repairs be done. She just wants to live safely and comfortably and wants the landlords held accountable. Lois Jacobson has written social issue plays for 30 years, and is now a member of Coming Together for Stark County. Their current project has employed the services of Dialogue on Diversity. They provide training, workshops, and seminars using real life experiences in Stark County. She feels that successful diversity makes Stark County a better place to live. She asked Council for help in getting the word out to their wards.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

201. COM DEV DIRECTOR MILLER: AMEND APPROP O#266/2014 FOR \$500,000.00 SUPP APPROP FR UNAPPROP BAL 2211.506001 TO 2211.506002 FOR DEV DEPT TO CONTINUE FUNDING CURRENT PROGRAMS IN ACCORDANCE WITH FED REGULATIONS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
202. COURT ADMIN KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT WITH OHIO SUPREME COURT FOR RECEIPT OF GRANT FUNDS IN THE AMT OF \$51,150.00 FOR DEV AND IMPLEMENTATION OF DIGITAL SIGNAGE PROJ; MAKE \$51,150.00 SUPP APPROP FR UNAPPROP BAL #2796-701001 COURT TECHNOLOGY GRANT FUND TO #2796-701001 - OTHER - COURT TECHNOLOGY GRANT FUND. - FINANCE COMMITTEE
203. LAW DIRECTOR MARTUCCIO: AUTHORIZE LAW DIR TO AMEND O#50/2015 TO INCLUDE SERV DIR AS SIGNATORY AND DESIGNEE IN CAPTION AND SEC 1. - JUDICIARY COMMITTEE
204. LIQUOR CONTROL DIV: REQ NEW C1 LIQ PERMIT FOR MILAN GROUP INC, THE BREAK ROOM @ 310 3RD ST NW (WARD 2). - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

205. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF SELF-CONTAINED BREATHING APPARATUS AND NECESSARY EQUIP FOR FIRE DEPT IN AMT NOT TO EXCEED \$75,000.00 AND APPROX 30 SETS OF STRUCTURAL FIREFIGHTING PROTECTIVE GEAR AND NECESSARY ACCESSORIES IN AMT NOT TO EXCEED \$73,000.00, OR ALTERNATIVELY FOR PURCH OF SAID ITEMS THRU USE OF COOP CONTRACTS IN ACCORDANCE WITH CANTON CODIFIED ORDINANCE 105.11 WHICH EXEMPT SAID PURCH FR REQUIREMENTS OF COMPETITIVE BIDDING; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
206. SAFETY DIRECTOR PERRY: APPROVE DEMO OF PROPERTIES LOCATED AT 1006 14TH ST NE, 2320 14TH ST NE, 1603 29TH ST NW, 1654 CLEVELAND AVE NW, 1624 FRAZER AVE NW, 1625 GIBBS AVE NE, 2728 HARRISON AVE NW, AND 1500 OXFORD AVE NW. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
207. SAFETY DIRECTOR PERRY: APPROVE DEMO OF PROPERTY LOCATED AT 1028 WALNUT AVE NE. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
208. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO PAY MORAL OB TO COPECO, INC. IN AMT OF \$3,203.15 FOR COLOR COPIES FOR THE DETECTIVE BUREAU FR 1/23/14 TO 1/22/15. - FINANCE COMMITTEE
209. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO PAY MORAL OB TO DELL MARKETING LP IN AMT OF \$4,877.96 FOR PURCH OF 3 COMPUTERS USED IN COMMAND VEHICLE AND COMPUTER TABLET USED BY TRAFFIC BUREAU LIEUTENANT. - FINANCE COMMITTEE
210. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO PAY MORAL OB IN AMT OF \$1,250.00 TO PSYCHOLOGICAL & FAMILY CONSULTANTS, INC. FOR FITNESS FOR DUTY EXAM PROCESS FR DEC 2014 TO FEB 2015. - FINANCE COMMITTEE
211. TREASURER PEREZ: ACCEPT CITIZENS BANK, FIRST MERIT BANK, FIFTH THIRD BANK, KEY BANK, SKY BANK, JP MORGAN CHASE BANK, PNC NA BANK, HUNTINGTON NAT'L BANK AND US BANK AS ELIGIBLE DEPOSITORY BANKS TO RECEIVE DEPOSITS OF PUBLIC MONEYS; DESIGNATE \$10,000,000.00 AVAILABLE FOR ACTIVE DEPOSITS AND \$45,000,000.00 AVAILABLE FOR INTERIM DEPOSITS. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. ESTABLISH FAIR MARKET VALUE OF ONE PARCEL OF CITY OWNED PROPERTY; AUTHORIZE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (PART OF LOT 6683 LOCATED ON OBY PL NW TO LATONYA WALKER, 1130 OBY PL NW)
Referred to Community & Economic Development Committee
- 1ST RDG 2. APPROVE AND ACCEPT REPLATTING OF LOTS 41203 THRU 41211, LOTS 4172 THRU 4175, PART OF LOT 4176 AND OUT LOT 1337; EMERGENCY (1115 CHERRY AVE NE, STANDARD PRINTING, WARD 2)
Referred to Public Safety & Thoroughfares
- 1ST RDG 3. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (1115 CHERRY AVE NE, STANDARD PRINTING, WARD 2)
Referred to Judiciary Committee **PUB HRG 6/29/15 @ 7:30 P.M.**
- 1ST RDG 4. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH TRANSYSTEMS REAL ESTATE CONSULTING, INC. TO COMPLETE RIGHT-OF-WAY ACQUISITION SERV FOR MAHONING RD CORRIDOR PROJ, PHASE TWO, G.P. 1130; AMEND APPROP O#266/2014; EMERGENCY (\$435,750.00 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PROJ, GP 1103 FUND TO 4566 202079 MAHONING RD CORRIDOR PROJ, GP 1103 - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 5. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH BOWMAN APPRAISAL SERV, INC. TO COMPLETE APPRAISAL REVIEW WORK FOR MAHONING RD CORRIDOR PROJ, PHASE TWO, G.P. 1130; AMEND APPROP O#266/2014; EMERGENCY (\$44,100.00 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PROJ, GP 1103 FUND TO 4566 202079 MAHONING RD CORRIDOR PROJ, GP 1103 - OTHER)
Referred to Public Property Capital Improvement Committee

(COUNCIL RECESSED AT 8:01 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #6; RECONVENED AT 8:03 PM)

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 104/2015** 6. AUTHORIZE AUDITOR TO PAY MORAL OBS IN AMTS NOT TO EXCEED \$20,000.00 TO PIER ASSOC, \$10,000.00 TO ALLIED EQUIP CO AND \$11,200.05 TO STANDARD PLUMBING & HEATING CO; EMERGENCY (SEARS BLDG COOLING TOWER COIL & HVAC CIRCULATING PUMPS)
Referred to Public Property Capital Improvement Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD 2ND RDG O#7 - O#17)**

- 2ND RDG 7. AMEND PART FIVE - GENERAL OFFENSES CODE OF CODIFIED ORDINANCES OF CITY OF CANTON BY AMENDMENT OF CHAPTER 505 ANIMALS AND FOWL (ANIMAL CRUELTY) (JUD)
- 2ND RDG 8. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS LESH-EVERETT ANNEXATION ARE CONTAINING APPROX .4936 ACRES; ASSIGN TERRITORY TO WARD 6; ZONE TERRITORY AS R-2 (TWO FAMILY RESIDENTIAL); EMERGENCY (ANNEX) **PUB HRG 6/15/15 @ 7:30 P.M.**
- 2ND RDG 9. ACCEPT TAX INCENTIVE REVIEW COUNCIL'S RECOMMENDATION REG ENTERPRISE ZONE AND COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGMTS; EMERGENCY (C&ED)
- 2ND RDG 10. AMEND APPROP O#266/2014; EMERGENCY (\$90,000.00 SUPP APPROP FR UNAPPROP BAL OF 2111 STREET MAINTENANCE FUND TO 2111 202210 MAINTENANCE - OTHER; APPROP TRANS OF \$63,000.00 - \$40,000.00 FR 2111 104020 TRAFFIC SIGNAL - OTHER AND \$23,000.00 FR 2111 202020 ENGINEER URBAN FORESTRY - OTHER TO 2111 202210 MAINTENANCE - OTHER; APPROP TRANS OF \$48,000.00 FR 1001 200501 GENERAL GOVERNMENT SUPPORT - OTHER TO 1001 202210 MAINTENANCE - OTHER) (FIN)
- 2ND RDG 11. AMEND EXHIBIT A TO ORDINANCE 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERS EMPLOYED BY CITY OF CANTON; EMERGENCY (DEPT 50IS - DEPT OF MANAGEMENT INFORMATION & SYSTEMS, NETWORK ENG. & ANALYST & ANALYST PROG.) (PERS)
- 2ND RDG 12. AMEND EXHIBIT A TO ORDINANCE 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERS EMPLOYED BY CITY OF CANTON; EMERGENCY (DEPT 20WP - SERVICE DIRECTOR'S WATER RECLAMATION FACILITY, TREATMENT OPR. 2 & 3) (PERS)
- 2ND RDG 13. AMEND EXHIBIT A TO ORDINANCE 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERS EMPLOYED BY CITY OF CANTON; EMERGENCY (DEPT 20WT - SERVICE DIRECTOR'S PUBLIC WORKS - WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIVISION, APP. DEV. ADMINISTRATOR) (PERS)
- 2ND RDG 14. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE A PROF SERV CONTRACT WITH MICHAEL BAKER, JR., INC. FOR DESIGN SERVS RELATED TO MONUMENT ROAD WATER MAIN REPLACEMENT PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$65,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207039 MONUMENT ROAD WATER MAIN REPLACEMENT PROJECT - OTHER); AUDITOR AUTHORIZED TO DRAW WARRANTS UP RECEIPT OF VOUCHERS (FIN)
- 2ND RDG 15. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE A PROF SERV CONTRACT WITH ARCADIS FOR DESIGN SERV RELATED TO THE 41ST STREET AND 49TH STREET AREA WATER IMPROVEMENT PROJECT; AMEND APPROP O#266/2014; EMERGENCY (\$22,200.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 DISTRIBUTION MAINTENANCE - OTHER); AUDITOR AUTHORIZED TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (FIN)
- 2ND RDG 16. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE A PROF SERV CONTRACT WITH ME/IBI GROUP FOR DESIGN SERV RELATED TO HARRISON AVENUE/44TH STREET N.W. WATER MAIN REPLACEMENT PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$43,516.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207036 HARRISON AVENUE/44TH STREET WATER MAIN REPLACEMENT PROJECT - OTHER) AUDITOR AUTHORIZED TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (FIN)
- 2ND RDG 17. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 1 IN AMT NOT TO EXCEED \$233,629.00 WITH SHOOK CONSTRUCTION INC. FOR PHOSPHORUS/TOTAL NITROGEN PROJ - CONTRACT NO. 26; AMEND APPROP O#266/2014; EMERGENCY (\$233,629.00 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJECT (MEMBRANE) FUND TO 5442 206054 WRF PHOSPHORUS (CONSTRUCTION) - OTHER; AUDITOR AUTHORIZED TO DRAW WARRANTS UPON RECEIPT OF VOUCHER (FIN)

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

- 105/2015** 18. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO A PROF SERV CONTRACT WITH BURGESS & NIPLE FOR DESIGN AND CONSTRUCTION ADMIN SERV FOR 53RD ST RESERVOIRS REROOFING PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$89,000.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207033 - 53RD ST RESERVOIR ROOF - OTHER)
- 106/2015** 19. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (1604 HARRISBURG RD NE, HOB NOB, WARD 9) **PUB HRG 6/1/15 @ 7:30 P.M.**

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

- 107/2015** 20. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (1411 CHERRY AVE NE, FOP MCKINLEY #2, WARD 2) **PUB HRG 6/1/15 @ 7:31 P.M.**
- 108/2015** 21. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (211 15TH ST NW, DR. JAMES JOHNS, WARD 9) **PUB HRG 6/1/15 @ 7:32 P.M.**
- 109/2015** 22. ESTABLISH FAIR REUSE VALUE OF 3 PARCELS OF CITY-OWNED PROPERTY; AUTHORIZE SALE AND CONVEYANCE OF SAID PROPERTIES; EMERGENCY (PARCEL #02-25379, PART OF LOT #1619; PARCEL #02-20767, PART OF LOT #1619 & 1577; PARCEL #02-14421, PART OF LOT #1576 LOCATED ON 2ND ST NW TO CANTON LABORERS' HOME CO)
- 110/2015** 23. AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO DEPT OF REHAB & CORRECTION FOR RECEIPT OF FY 2016 COMMUNITY CORRECTIONS ACT GRANT IN AMT NOT TO EXCEED \$170,601.00; EMERGENCY (MUNICIPAL COURT PROBATION DEPT)
- 111/2015** 24. AMEND APPROP O#266/2014; EMERGENCY (\$31,960.00 INTERFUND ADVANCE FR 1001 301001 82341 GEN FUND - OTHER TO 2335 301001 84341 EARLY HEAD START GRANT FUND - OTHER; \$31,960.00 SUPP APPROP FR UNAPPROP BAL OF 2335 EARLY HEAD START GRANT FUND TO 2335 301001 - OTHER)
- 112/2015** 25. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$1,519.60 TO SPRINT; EMERGENCY (POLICE DEPT AIR CARDS NOT TIMELY DEACTIVATED FROM AT&T)
- AMENDED AS**
- 113/2015** 26. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER 3 WITH CENTRAL ALLIED ENTERPRISES FOR 12TH ST N. CORRIDOR PROJ, GP 1098, PID 85299; AMEND APPROP O#264/2013; EMERGENCY (\$326,425.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 202077 12TH ST N CORRIDOR IMPROVEMENT - OTHER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, June 15, 2015 in Council Caucus Room at 6:30 PM**

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

MISCELLANEOUS BUSINESS: Member Smuckler said that the Property and Maintenance Code was changed so inspections would be complaint driven. However, from what the speakers tonight have said, that is not the case. He feels that if their issues are not being addressed as in the past and not because their complaint driven, then the code is not worth the paper it's written on. Deputy Mayor Williams plans to meet with Ms. Bennett after the meeting tonight, get information on all three cases, and report back to Council. Member West feels they need to revisit the landlord/tenant Ordinance and get tougher on landlords. Member Morris agrees. He feels that landlords should be required to have a license for each property, and if they're not doing their job, their license gets pulled. He said the current policies cannot be enforced. Member Hawk concurs with everyone and said the Property Maintenance Code was actually a step backwards. He feels the Code Department should be put back with the Health Department because Health can cite landlords into Court. Member Griffin announced that on June 11th at 6:00 PM there will be a dedication for Tim Trbovich in Field #3 at Willy Field. Member West thanked Lois Jacobson for all her work in bringing diversity to the City. President Schulman indicated that Ohio law does provide a defense against landlords. He also suggested that Council look at putting up bonds for licensing landlords. Deputy Mayor Williams reminded Council that June 4th is Community Development Day at the Civic Center where citizens can learn about various programs being offered, and asked Council to volunteer. He also announced that on June 9th at the Hall of Fame the Canton Improvement Corp. is sponsoring an event to discuss the Hall of Fame Village Project and tell local businesses how to participate. The fee is \$20.00.

ADJOURNMENT: 8:25 P.M.