

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

JUNE 29, 2015

ROLL CALL: Ten Members Present

MOTION TO EXCUSE MEMBERS: Members Smuckler and Hart Absent

INVOCATION: Pastor Morgan

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#9; 2nd Rdg O#10 - O#16; O#9 Adopted on 1st Rdg; O#10, O#14, O#15, and O#16 Adopted on 2nd Rdg)

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 (1115 CHERRY AVE NE, CANTON OHIO FROM B-4 (SPECIAL BUSINESS), B-3 (GENERAL BUSINESS), PB-4 (SPECIAL BUSINESS), AND R-4 (MULTI-FAMILY RESIDENTIAL) TO PB-4 (SPECIAL BUSINESS) TERRY J. NOLAN (STANDARD PRINTING - WARD 2) (NO SPEAKERS) **SEE O#138/2015**

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Tom Schmidt commended Mike Parker of the Sanitation Department for helping with construction debris that had been dumped in a vacant lot. He then spoke about the Cuyahoga Valley Railroad Station skate park located on West Tusc. He is concerned with the cost which is \$652,348.00, and why we need a third skate park when we already have two. He questions the need and the logic behind it. He feels the Park Department is responsible for investigating the pros and cons of another skate park, and stated that Summit United Neighborhood Association and many area businesses are against it. Jonathan Bailey spoke again about the cost of vendor's licenses in the City. He feels they are outrageous and did a comparison with New York City and Los Angeles. He said that Canton's vendor license fees are 1200% higher than New York and 600% higher than L.A. He wants to know who is willing to sponsor a repeal of these fees. Don Peterson spoke about the possible dissolving of the Joint Recreation District. He stated that they are merely seeking alternate funding from what Council approved, which would make a \$240,000.00 annual difference in revenue. He feels we should provide the residents with a choice between two plans for the best outcome. He asked why Council would dissolve the Joint Recreation District, and to please allow the citizens to choose from the options available. Leon Cote read from a 4/28/14 plan for demolishing homes near schools. He then cited an Akron Beacon Journal article that discussed the money Canton has spent to demolish properties and it is not done timely. He stated that many of these homes near schools are still standing, and that within the last ten months, only six houses have come down. He feels that someone in the Administration is not doing their job.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

230. COM DEV DIR MILLER: AMEND O#109/2015 TO ESTABLISH FAIR REUSE VALUE OF \$550.44 FOR PARCEL 02-25379 LOCATED ON 2ND ST NW AND AUTHORIZE DISPOSITION OF SAME. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
231. COM DEV DIR MILLER: ESTABLISH FAIR REUSE VALUE OF \$658.84 FOR PARCEL 02-15334 LOCATED ON SANDAL PL NE AND AUTHORIZE DISPOSITION OF SAME. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
232. FINANCE DIR DIRUZZA: REQ \$22,600.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 600000 CANTON CITY COUNCIL - OTHER FOR ADVERTISING AND PROF SRVS. - FINANCE COMMITTEE
233. FINANCE DIR DIRUZZA: ADOPT ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING 12/31/16. - FINANCE COMMITTEE
234. HEALTH COMM ADAMS: REQ \$26,915.50 INTRA-FUND TRANSFER FR 2335 301001 TO 2335 301001 PERSONNEL FOR YWCA HEAD START GRANT EXPENSES. - FINANCE COMMITTEE
235. HEALTH COMM ADAMS: 2014 HEALTH DEPT ANNUAL REPORT. - RECEIVED & FILED
236. LIQUOR CONTROL DIV: DENY APP FOR 2015-2016 C-1-2 LIQ PERMIT RENEWAL FOR HILL MINI MART, LLC, DBA SHORB DRIVE THRU @ 829 12TH ST NW (WARD 2). - RECEIVED & FILED
237. LIQUOR CONTROL DIV: DENY APP FOR 2015-2016 C-1-2 LIQ PERMIT RENEWAL FOR WINE BARRELL, LLC, DBA WINE BARRELL & DRIVE THRU @ 1816 CLEVELAND AVE NW (WARD 9). - RECEIVED & FILED
238. MAYOR HEALY: REQ AUTHORIZATION TO APPOINT JON KUHNASH TO CANTON CONSTRUCTION BD FOR 3 YR TERM COMMENCING 7/1/15 - 6/30/18. - PERSONNEL COMMITTEE
239. MAYOR HEALY: REQ AUTHORIZATION TO APPOINT AGATHA JOHNSON TO FAIR HOUSING COMMISSION FOR 5 YR TERM COMMENCING 7/1/15 - 6/30/20. - PERSONNEL COMMITTEE
240. MAYOR HEALY: ADVISING OF APPOINTMENT OF JENNIFER LEWIS TO MAYOR'S COMMUNITY RELATIONS COMMISSION FOR 2 YR TERM COMMENCING 7/1/15 - 6/30/17. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

241. SAFETY DIR PERRY: REQ APPROVAL TO ACCEPT FUNDS FR 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG PROGRAM) IN AMT OF \$69,709.00 FOR CANTON POLICE DEPT; RENAME FUND 2769 FR 2006 BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TO 2015 BYRNE LOCAL SOLICITATION GRANT FUND; RATIFY AGMT WITH STARK COUNTY COMMISSIONERS RE DISTRIBUTION OF FUNDS. - FINANCE COMMITTEE
242. SERV DIR BARTOS: ADVISE OF USE OF SEC 105.04 OF CANTON CODIFIED ORDINANCES FOR EMERGENCY REPAIRS TO SANDSTONE FACADE OVER ENTRANCE TO CIVIC CTR DISCOVERED DURING ROOF REPAIR PROJ. - RECEIVED & FILED
243. SERV DIR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR AND/OR PARK COMMISSION TO APPLY FOR, ENTER INTO AGMT FOR AND RECEIVE FUNDS FR MULTIPLE POTENTIAL FUNDING SOURCES FOR VARIOUS CAPITAL IMPROVEMENT PROJ MANAGED BY ENGINEERING DEPT OR IN CONJUNCTION WITH OTHER CITY DEPTS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
244. SERV DIR BARTOS: REQ \$340,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410-202010 ENGINEER-DAILY OPERATIONS - OTHER FOR SANITARY SEWER WORK FOR EAST SIDE INTERCEPTOR REPLACEMENT PROJ AND FULTON RD PAVING PROJ. - FINANCE COMMITTEE
245. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 4/30/15. - RECEIVED & FILED
246. COUNCIL-AS-A-WHOLE: REQUEST LAW DEPT TO RESEARCH ANY LEGAL PROCEDURES THAT WOULD PERMIT THE CITY OF CANTON TO WITHDRAW FR JOINT RECREATION BD, AND RESEARCH REMOVAL OR TERMINATION OF MAYORAL APPOINTEES APPROVED BY COUNCIL WHEN MAYOR AND COUNCIL DESIRE TO END THE APPOINTMENT. - PARKS & RECREATION COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH BELL EQUIP CO FOR PURCHASE OF 1 REAR-LOADING PACKER TRUCK FOR ESTIMATED AMT OF \$240,000.00 IN ACCORDANCE WITH OH REVISED CODE SEC 9.48 AND CANTON CODIFIED ORDINANCE SEC 105.11; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 2. AMEND APPROP O#266/2014; EMERGENCY (\$11,000.00 FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202001 ENGINEERING ADMIN - OTHER; CONVERT 6TH ST SE BETWEEN WALNUT & MARKET BACK TO 2 WAY OPERATION)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 3. AMEND APPROP O#266/2014; EMERGENCY (\$23,000.00 FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202001 ENGINEERING ADMIN - OTHER; BIRCHDALE NW STORM SEWER PROJ)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 4. AMEND APPROP O#266/2014; EMERGENCY (\$15,000.00 FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202001 ENGINEERING ADMIN - OTHER; GRENADA DR SE STORM SEWER PROJ)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 5. AUTHORIZING MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT AND TO EXECUTE A PROF SRVS CONTRACT FOR CONSTRUCTION OVERSIGHT SRVS FOR MONUMENT RD NW SANITARY SEWER REPLACEMENT PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$330,000.00 FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206316 MONUMENT RD NW SANITARY SEWER REPLACEMENT PROJ, G.P. 1218)
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZING MAYOR OR SERV DIR TO EXECUTE PROF SRVS CONTRACT WITH MICHAEL BAKER, JR., INC. FOR CONSTRUCTION OVERSIGHT SRVS RELATED TO EAST SIDE INTERCEPTOR SANITARY SEWER REPLACEMENT PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$50,000.00 FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206314 EAST SIDE INTERCEPTOR SANITARY SEWER REPLACEMENT PROJ, G.P. 1113 - OTHER)
Referred to Finance Committee
- 1ST RDG 7. AUTHORIZE AND CONSENT TO SINGLE AND DOUBLE MICROSURFACING TO STA 77 FR 9.50 TO 11.84, STA 687 FR 0.00 TO 0.36 AND 2.57 TO 5.53; EMERGENCY (I-77 & SR-687, "PROJECT" PID NO. 100287)
Referred to Finance Committee
- 1ST RDG 8. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO 1-YR AGMT WITH ARTSINSTARK, WITH OPTION OF (9) 1-YR RENEWALS IF MUTUALLY AGREED TO BY BOTH PARTIES, FOR PURPOSE OF SHARING USE AND COST OF 2 ELECTRONIC MESSAGE BOARDS AT CANTON MEMORIAL CIVIC CTR AND CULTURAL CTR FOR THE ARTS; EMERGENCY
Referred to Finance Committee

(COUNCIL RECESSED AT 7:55 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #9; RECONVENED AT 7:57 PM)

- 131/2015 9. DECLARE BLDG @ 1454 EASTVIEW AVE NE TO BE PUBLIC NUISANCE; AUTHORIZE SAF DIR TO ENTER INTO CONTRACT FOR DEMO OF SAID BLDG; AUTHORIZE COUNCIL CLERK TO CERTIFY COSTS OF DEMO TO STARK COUNTY AUDITOR; EMERGENCY
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD 2ND RDG O#10 - O#16)

- 132/2015 10. AMEND APPROP O#266/2014; EMERGENCY (\$500,000.00 SUPP APPROP FR UNAPPROP BAL 2211 506001 FUND TO 2211 506002 - OTHER) (C&ED)
- 2ND RDG 11. AMEND CAPTION AND SECTION 1 OF O#50/2015; EMERGENCY (INCLUDE SERV DIR AS SIGNATORY AND DESIGNEE) (JUD)
- 2ND RDG 12. AUTHORIZE MAYOR OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF SELF-CONTAINED BREATHING APPARATUS AND NECESSARY ACCESSORIES IN AN AMT NOT TO EXCEED \$75,000.00 AND APPROX 30 SETS OF STRUCTURAL FIREFIGHTING PROTECTIVE GEAR AND NECESSARY ACCESSORIES IN AN AMT NOT TO EXCEED \$73,000.00; OR TO ALTERNATIVELY PURCH SAID ITEMS PURSUANT TO STATE COOP PURCH AGMTS; EMERGENCY (PPCI)
- 2ND RDG 13. DESIGNATE PUBLIC MONEYS AVAIL FOR ACTIVE AND INTERIM DEPOSITS AND DESIGNATE DEPOSITORY BANKS FOR SAID DEPOSITS (ACTIVE DEPOSITS - \$10,000,000.00; INTERIM DEPOSITS - \$45,000,000.00; ELIGIBLE DEPO. BANKS: CITIZENS BANK, FIRST MERIT BANK, FIFTH THIRD BANK, KEY BANK, SKY BANK, JPMORGAN CHASE BANK, PNC, NA BANK, HUNTINGTON NATIONAL BANK, US BANK) (FIN)
- 133/2015 14. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$3,203.15 TO COPECO FOR PYMT OF COLOR COPIES FOR THE DETECTIVE BUREAU; EMERGENCY (FIN)
- 134/2015 15. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$4,877.96 TO DELL MARKETING LP FOR PURCH OF THREE COMPUTERS AND A COMPUTER TABLET; EMERGENCY (FIN)
- 135/2015 16. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$1,250.00 TO PSYCHOLOGICAL & FAMILY CONSULTANTS, INC. FOR A FITNESS FOR DUTY EXAMINATION; EMERGENCY (DECEMBER 2014 - FEBRUARY 2015) (FIN)

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

- 136/2015 17. 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)
- 137/2015 18. 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)
- 138/2015 19. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (1115 CHERRY AVE NE, STANDARD PRINTING, WARD 2)

PUB HRG 6/29/15 @ 7:30 P.M.**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, July 13, 2015 in Council Caucus Room at 6:30 PM**

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

MISCELLANEOUS BUSINESS: Deputy Mayor Fonda Williams addressed Mr. Cote's concerns about the demolitions. He stated that this grant first became available only through county land banks. The City's county land bank didn't want to apply for funds, so the Administration pleaded with them to allow them to apply. They submitted an application asking for 2.2 million, and was awarded 4.2 million. He explained that the NIP Program is different than the Moving Ohio demolition Program. The City was behind in demolitions with the Moving Ohio Program, and with the NIP were able to ramp things up. He read from a letter from the Attorney General's Office congratulating Canton for tearing down 492 properties in one year. With the NIP Program there's a three year window where the properties have to be acquired, which is done through the County foreclosure process. That process takes some time. The City does prioritize tearing down houses near schools. There is still, however, due process. If the City can't get access to a home near a school, it cannot be torn down. He offered to spend time with anyone after meeting to discuss NIP Program further. He stated that things are on track and feels they will meet the goal of 270 properties by deadline of 6/30/16. President Schulman inquired about the two dissenting votes from the land bank which prevented Canton from getting more money to tear down homes. Deputy Mayor Williams stated that it was Plain Township Trustee Scott Haws and Chairman of the Board, Alex Zumbar. President Schulman indicated that Alex Zumbar, who complained to the newspaper about the City's demolition of homes, was one of the dissenting votes, and he feels that is hypocritical. Mayor Healy indicated that since the Administration took office, over 1400 homes have been torn down using six different grant programs with different restrictions and requirements, and all have been met within their deadlines. He feels they

will again meet their requirements before the deadline. Member Dougherty thanked the Deputy Mayor for explaining the process. He said that he has worked for many years with the Deputy Mayor and Lisa Miller in getting homes torn down, and he feels they are doing a better job than they are getting credit for. Member Morris appreciated speaking with Deputy Mayor Williams and Mayor Healy regarding the demolitions. He requested information on liquidated damages they were not available, and looks forward to the updated spread sheets so Council may see where they are in the process.

ADJOURNMENT: 8:16 PM

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JULY 13, 2015 @ 7:30 PM