

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

CANTON CITY COUNCIL

AUGUST 10, 2015

**ROLL CALL:** All Members Present

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

**INVOCATION:** Greg Hawk, Ward 1 Council Member

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

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#7 - O#14 and O#16; O#6 and O#15 Retained in Committee; O#8 Adopted on 2<sup>nd</sup> Rdg)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Sheldon Arkow spoke about flooding on Schuller Ave. NE and what to do with the flood waters. He said this is his 4<sup>th</sup> trip to City Council. His first 2 times no one believed him, the next time something was done, but it was done wrong and there is a worse situation now. There was just a flood that cost him \$46,000.00, out of his own pocket. Both Geico and Progressive Insurance wouldn't pay, claiming it was an act of God. He has his own sump with an electric pump to pump out his back yard. His neighbors don't have a sump, consequently his pump can't keep up with all of the water. He feels that the City is spending their money on other things than the neighborhoods, such as the Hall of Fame and street paving, while he and his neighbors are suffering. He submitted a petition signed by 70 of his neighbors. There's a lady that has had to have her basement redone twice in 2 years. He and his senior neighbors can't afford to keep going like this and need help from the City. He suggested putting a big sewer behind their houses. There used to be a creek but the developer was allowed to fill the creek in and sell the lots. The water now has nowhere to go except in their backyards, which eventually gets in their basement. The Collections Dept. has been terrific. They were there last week looking for reasons the existing sewers can't carry the water. They're just not big enough. He saw an article in the newspaper where the County is buying meteorology to allow them to know when the Nimishillen Creek is rising. He wants to know what good it's going to do to know when the creek is rising when all you can do is go up on your roof. Pastor Walter Moss, CIRV President, gave a short report on their ability to help reduce the gang violence in Stark County. On Friday, July 31<sup>st</sup>, between 3:30 - 5:00 p.m. they did a "Boots on the Ground" in the Gibbs area. The Canton Police Department sent 3 Community Officers, Scott Jones, Scott Dillinger, and Judy Solly. He stated that there was no media there to witness white Police Officers and African Americans converse with no one feeling threatened, just people talking. An Officer offered to help a lady figure out who owns a lot that she's interested in. He stated he saw some walls break down with the officers and the people. He stated that since the project has been in place, last October, the GMA group member involvement, there has been no murder of a gang member shooting and killing another gang member. There have been drug related shootings, but no gang member shootings. If this holds true, then CIRV is doing what they're supposed to do, dropping gang violence and the number of gang on gang murders. Henry Preston stated that for the last 60 days he's had a great opportunity to learn about the outstanding employees of the City of Canton. He had a flim-flam scam contractor and Mr. Molnar from the Building Department spent over an hour of his time telling him what he can do as a resident of Canton. He learned that there are lots of people who operate in the city of Canton without a license or a permit. He asked how many permits had been pulled on his property and found that there was only 1, that went back to 2003. He spent time in the Law Department where an intern, Christy, did a fantastic job taking notes, Jason quarter-backed by having a chat with the contractor and Joe Martuccio gave him some wisdom so they could all play on the same team and they all knew their parts. He felt like he had the A-Team on his side.

**INFORMAL RESOLUTIONS:**

29. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF BOB TILLIS TO BOARD OF BUILDING APPEALS COMMENCING RETRO 7/1/15 - 6/30/18. - ADOPTED

**COMMUNICATIONS:**

282. AUDITOR MALLONN: MTHLY REPORT BY FUND FOR 7/1/15 THRU 7/31/15. - RECEIVED & FILED

283. AUDITOR MALLONN: YRLY REPORT BY FUND FOR 1/1/15 THRU 7/31/15. - RECEIVED & FILED

284. DEPUTY MAYOR WILLIAMS: REQ AUTHORIZATION FOR CITY OF CANTON TO ENTER INTO GRANT AGMT IN AMT OF \$175,000.00 WITH CANTON REGIONAL CHAMBER OF COMMERCE FOR PURPOSE OF DEVELOPMENT OF COMMUNITY. - FINANCE COMMITTEE

285. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ENTERPRISE ZONE AGMT WITH HISTORIC ONESTO LLC TO PROVIDE REAL PROP TAX EXEMPTION AND AUTHORIZE AUDITOR TO MAKE PAYMENTS TO CANTON CITY SCHOOLS BOE AS REQUIRED BY SEC 5709.82(C) OF REVISED CODE (10 YR 75% REAL PROP TAX ABATE - PARCELS 209886, 243353, 244732. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

286. LIQUOR CONTROL DIV (OHIO): REQ TRAN OF C2 C2X PERMIT FROM VOLKERTS PARTY STORE LLC TO RBP EMPIRE LLC @ 2535 W TUSC 1<sup>ST</sup> FL & NW CORNER BSMT. - RECEIVED & FILED

287. MAYOR HEALY: ADVISE COUNCIL OF REAPPT OF SEAN WHITED TO MAYOR'S COMMUNITY RELATIONS COMMISSION, EFFECTIVE 7/1/15 TO 6/30/17. - RECEIVED & FILED

288. PROP OWNER, DAN HERSHBERGER: REQ AUTHORIZATION FOR ZONE CHANGE LOCATED AT 3660 GREENTREE AVE. SW, WARD 4 (NEW DAWN DEVELOPMENT). - PLANNING COMMISSION

**COMMUNICATIONS CONTINUED:**

289. SAFETY DIRECTOR PERRY: REQ PERSONNEL MODIFICATION FROM DEPT. OF COMPLIANCE TO DEPT. OF COMM DEVEL; HUD HAS REQ DEPT. OF FAIR HOUSING FALL UNDER OVERSIGHT OF DEPT. OF COMM. DEV. - PERSONNEL COMMITTEE
290. SAFETY DIRECTOR PERRY: REQ TO WITHDRAW COMM #280 FROM JULY 27, 2015 AGENDA. - RECEIVED & FILED
291. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH GENTLEBROOK, INC. FOR A WATER MAIN EXTENSION WITHIN VILLAGE OF HARTVILLE. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
292. SERVICE DIRECTOR BARTOS: AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
293. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR JULY, 2015. - RECEIVED & FILED
294. TREASURER PEREZ: RPT OF AMBULANCE LOCK BOX ACCT FOR JULY, 2015. - RECEIVED & FILED

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

- 1<sup>ST</sup> RDG 1. APPROVE REPLAT OF LOTS 42991 & 42992; EMERGENCY (ED DOMER FOR CLIFF JUMPERS, LLC @ 1325 17<sup>TH</sup> ST. NE)  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 2. APPROVE REPLAT OF LOTS 184, 185, & 186; EMERGENCY (STANDARD HEATING & PLUMBING AND CANTON REP @ WALNUT AVE SE BTWN 4<sup>TH</sup> & 5<sup>TH</sup> SE)  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 3. AUTHORIZE AUDITOR TO PAY A MORAL OB IN AN AMT NOT TO EXCEED \$12,800.00 TO DELL MARKETING L.P.; EMERGENCY (POLICE DEPT.)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 4. AUTHORIZE SAF DIR TO ACCEPT REIMBURSEMENT GRANT FR OHIO DEPT OF PUBLIC SAFETY IN AMT NOT TO EXCEED \$3,500.00; AMEND APPROP O#266/2014; EMERGENCY (\$3,500.00 SUPP APPROP FR UNAPPROP BAL OF 2812 FIRE DEPARTMENT EMS GRANT FUND TO 2812 103001 FIRE DEPARTMENT EMS GRANT - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. AUTHORIZE AND CONSENT TO FINE GRADED POLYMER AC OVERLAY TO STA US 30 FR 9.58 TO 13.10, MINOR BRIDGE WORK; EMERGENCY (PROJ - PID NO. 84627)  
Referred to Finance and Public Safety & Thoroughfares Committees

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

**(SUSPENDED RULE 22A TO ADD 2<sup>ND</sup> RDG O#7 - O#14; O#6 AND O#15 RETAINED IN COMMITTEE; O#8 ADOPTED ON 2<sup>ND</sup> RDG)**

**RETAINED IN COMMITTEE**

- 2<sup>ND</sup> RDG 6. SUBMIT, PURSUANT TO INITIATIVE PETITION, TO ELECTORS OF CITY OF CANTON THE QUESTION, "SHALL A COMMISSION BE CHOSEN TO FRAME A CHARTER?" AND FOR ELECTION OF MEMBERS OF CHARTER COMMISSION; EMERGENCY (JUD)
- 2<sup>ND</sup> RDG 7. APPROVE STATEMENT OF SERV TO BE PROVIDED TO PROP OWNER IN FIRST TEE #2 ANNEX AREA, APPROX DATE SERV WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY OF CANTON, OH; EMERGENCY(ANNEX)
- 155/2015 8. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$25,000.00 TO SARTA; EMERGENCY (MORAL OB FOR BUS PASSES DISTRIBUTED ON COMM DEV DAY)(FIN AND C&ED)
- 2<sup>ND</sup> RDG 9. AMEND EXHIBIT A TO O#100/2011, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (CHANGE REPORTING STRUCTURE OF PREVAILING WAGE COORDINATOR TO SERV DIR DEPT OF PROCUREMENT)(PERS)
- 2<sup>ND</sup> RDG 10. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$9,844.25 TO US POSTAL SERV; EMERGENCY (MORAL OB FOR INVOICES FOR PARKING GARAGE ATTENDANTS)(FIN)
- 2<sup>ND</sup> RDG 11. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$8,101.33 TO AEP; EMERGENCY (MORAL OB FOR TRAFFIC SIGNAL ELECTRIC BILL)(FIN)
- 2<sup>ND</sup> RDG 12. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$125,142.41 TO CARGILL, INC.; EMERGENCY (MORAL OB FOR MINIMUM SALT PURCH FOR STREET DEPT)(FIN & PPCI)

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:**

- 2<sup>ND</sup> RDG 13. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$19,950.00 TO HD SUPPLY WATERWORKS, LTC; EMERGENCY (MORAL OB FOR PIPE FITTINGS FOR WATER DEPT)(FIN)
- 2<sup>ND</sup> RDG 14. APPROVE CANTON CITY WATER MAIN EXT TO PERRY TWP; AUTHORIZE SERV DIR TO ENTER INTO CONTRACT FOR EXT OF SAID WATER MAIN; EMERGENCY (KOLP MGMT CORP TO SERV PROP AT NW CORNER OF NAVARRE RD & WHIPPLE AVE SW)(E&PU)

**RETAINED IN COMMITTEE**

- 2<sup>ND</sup> RDG 15. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$73,411.00 TO COON RESTORATION & SEALANTS, INC; EMERGENCY (MORAL OB FOR REPAIRING FACADE AT CIVIC CTR)(FIN)
- 2<sup>ND</sup> RDG 16. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO COOP AGMT WITH STARK COUNTY FOR CITY OF CANTON'S SHARE OF STARK COUNTY'S MAPLEWOOD (NEW DAWN SUBDIVISION) SANITARY SEWER PROJ, GP 1236; AMEND APPROP O#266/2014; EMERGENCY (\$305,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206317 MAPLEWOOD (NEW DAWN) PROJ, GP 1236 - OTHER) (FIN)

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

- 156/2015 17. AMEND SEC 1 OF O#109/2015; EMERGENCY (PARCEL #02-25379 LOCATED ON 2<sup>ND</sup> ST NW)
- 157/2015 18. ESTABLISH FAIR MARKET VALUE OF 1 PARCEL OF CITY OWNED PROP; AUTHORIZE SALE AND CONVEYANCE OF SAID PROP PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (PARCEL #02-15334 LOCATED ON SANDAL PL NE)
- 158/2015 19. ADOPT CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING 12/31/16; EMERGENCY
- 159/2015 20. 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; EMERGENCY
- 160/2015 21. AUTHORIZE SAFETY DIR TO ACCEPT GRANT FR 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN AMT NOT TO EXCEED \$69,709.00; RATIFY ANY AGMT ENTERED INTO WITH STARK COUNTY COMMISSIONERS REGARDING DISTRIBUTION OF GRANT FUNDS; AUTHORIZE AUDITOR TO RENAME FUND 2769 TO 2015 BYRNE LOCAL SOLICITATION GRANT FUND; AMEND APPROP O#266/2014; EMERGENCY (\$69,709.00 FR UNAPPROP BAL OF 2769 2015 BYRNE LOCAL SOLICITATION GRANT FUND TO 2769 102001 POLICE ADMIN - OTHER)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, August 17, 2015 in Council Caucus Room at 5:30 PM**

Council Work Session

**MONDAY, August 24, 2015 in Council Caucus Room at 6:45 PM**

- 1) Finance Committee
- 2) Public Safety & Thoroughfares Committee
- 3) Judiciary Committee

**MISCELLANEOUS BUSINESS:** Members Smuckler, Mack, Hart, Morris, and Mayor Healy spoke to Mr. Arkow's issue regarding the flooding and drainage issues on Schuller Drive NE. Member West stated that Member Hawk has the best corned beef in town. He also talked about HOF festivities and commended the Administration, Chamber and HOF personnel on a wonderful job. Member West also stated that he believes an animal nuisance officer is still needed and would like Council and the Administration to get together and figure this out. Member West talked about the NIP, CDBG, and Demolition lists. He says if something isn't funded there should still be a Demolition List. Deputy Mayor Williams states that what's been created is a Nuisance Property List. That list is an ongoing list. Properties are transferred from the Nuisance Property List to the Demo List when there is money to fund the demolition. This was done because of the numerous complaints by Council asking why there's a demolition if there's no money to tear the property down. It gave a false representation so the change was made over a year ago. They send those updated lists to Council every Friday. Member West stated that he does not receive the Nuisance List, so Deputy Mayor Williams told him he would have one in the morning. Member Hawk stated that Legislation was passed a few years ago that required people to post a bond if they were interested in purchasing a property. They were able to get only one 30-day extension, if not, the bond was revoked and the house was torn down with the posted bond money. The Landlord Association found a loophole and now they're able to go to Court and get a stay and not post a bond. We need to make sure the stays are limited and force people to post that bond, rehabilitate the house, or we drop it. Mayor Healy thanked Member West for recognizing the City employees. He says the HOF was a great experience this year and that it was the most spectacular event. Member Hart spoke about his trip to Ireland and believes that the City is behind on solar energy. He also feels that the City needs look abroad for visitors to the City because the people in Ireland had never heard about the Pro Football Hall of Fame.

**ADJOURNMENT:** 8:42 P.M.**NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 24, 2015 @ 7:30 PM**