

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

CANTON CITY COUNCIL

SEPTEMBER 21, 2015

**ROLL CALL:** All Members Present

**MOTION TO EXCUSE MEMBERS:** Not Necessary

**INVOCATION:** Kevin Fisher, Ward 5 Council Member

**PLEDGE OF ALLEGIANCE:** President Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>st</sup> Rdg O#12; add 2<sup>nd</sup> Rdg O#13 - O#14 & O#16 - O#20; O#12 Adopted on 1<sup>st</sup> Rdg; O#15 Retained in Committee; O#19 & O#20 Adopted on 2<sup>nd</sup> Rdg; O#21 Adopted as Amended)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Natalie McCleskey is a planner for Homeless Continuing Care. Many of their agencies work with private landlords to place individuals with low income in affordable units. She feels that increasing the fee for landlords will have serious repercussions on their programs. She encouraged Council to look at the full picture as to how the community will be affected. She is concerned that raising the fees will put a hardship on the landlords that do a good job. Angenita Daniels works at the YWCA providing for the homeless. She thanked the landlords who cooperate with them. She feels that by putting a burden on the landlords to cover fees, it will be passed onto their clients and impeded her agency's ability to find affordable housing. Wendy Myers is the owner of Embassy Apartments and the Diplomat. She invited anyone to come visit her properties to view the conditions. She feels that the fee increase is discriminatory against landlords and renters both because landlords will be forced to raise the rent or cut costs. She also owns property in Marietta, and indicated that they do not pay registration fees, that all city departments such as Code, Health, and Police work together. She asked Council to consider another path that doesn't discriminate rather than taking the easy, lazy way out. James Parker commented on Communication #339 submitted by Member Hart. He said that spraying Round Up is devastating to Monarchs and bees, and can cause illness and poisoning to humans. He asked if homeowners will be notified before the spraying is done, and will the users be certified. He feels that a safer alternative is available and asked that Council withdraw this communication and replace it with a ban on herbicides and pesticides. Henry Preston stated that years ago he owned rental properties and became an absentee landlord. He feels that public housing has ruined the neighborhoods in Canton. The City doesn't manage public housing, and he asked Council to look hard at what they are doing and to get together with landlords to come to an agreement.

**INFORMAL RESOLUTIONS:** None

**COMMUNICATIONS:**

338. COUNCIL-AT-LARGE HART: PROPOSE 10 YR TAX ABATEMENT FOR FIRST \$40,000.00 OF INCOME FOR NEW RESIDENTS PURCHASING HOMES IN CANTON. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
339. COUNCIL-AT-LARGE HART: PROPOSE KILLING WEEDS AND HIGH GRASS ON VACANT LOTS WITH "ROUND UP" PRODUCT AND PLANT WILDFLOWERS. - RECEIVED & FILED
340. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR DEPUTY MAYOR TO CONTINUE CONTRACTUAL AGMT WITH CCIC TO PROVIDE \$75,000.00 GRANT UTILIZING GENERAL FUND DOLLARS FOR GRANTS, LOANS & ADMIN COSTS. - FINANCE COMMITTEE
341. PROP OWNER, STEVE FETTMAN: REQ AUTHORIZATION FOR ZONE CHANGE LOCATED AT 2915 TUSCARAWAS ST W, WARD 3 (FETTMAN PROPERTY MGMT LTD). - PLANNING COMMISSION
342. SERV DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO COOP AGMT WITH STARK COUNTY FOR NIMISHILLEN CREEK WATERSHED PROJ AND TO PAY UP TO \$33,310.0 OF TOTAL PROJ COST OVER 5 YRS USING CAPITAL FUNDS FROM ENGINEERING DEPT; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
343. SERV DIR BARTOS: AUTHORIZE HIRING OF MARC A. MORGAN AS ASST SUPERINTENDENT OF WRF AT STARTING ANNUAL SALARY OF \$79,000.00 IN ACCORDANCE WITH SEC 11 OF O#100/2011; GRANT MARC A MORGAN 10 DAYS VACATION ANNUALLY UNTIL HE REACHES 2 YRS OF SERVICE WITH CITY, AT WHICH TIME HIS ANNUAL VACATION ENTITLEMENT WILL MIRROR SCHEDULE FOUND IN 151.07(a) OF CANTON CODIFIED ORDINANCES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PERSONNEL COMMITTEE
344. SERV DIR BARTOS: AMEND CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL TO ALLOW FOR UP TO 4 TOTAL EMPLOYEES IN DEPT OF TRAFFIC ENGINEERING & SIGNAL ALARM, AND UP TO 10 TOTAL EMPLOYEES IN CITY ENGINEERING DIV; AMEND CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL BY REMOVING REQUIREMENT THAT CIVIL ENGINEERING TECH V BE REGISTERED PROF ENGINEER AND/OR SURVEYOR. - PERSONNEL COMMITTEE

**COMMUNICATIONS CONTINUED:**

345. SERV DIR BARTOS: AMEND O#58/2014 BY ESTABLISHING 1 ADDITIONAL \$6,500 ANNUAL STIPEND TO BE PAID TO ANY INDIVIDUAL WHO SIMULTANEOUSLY HOLDS THE POSITION OF SANITARY SEWER ENGINEER IN COLLECTION SYSTEMS DEPT AND FACILITIES ENGINEER OF WRF; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PERSONNEL AND FINANCE COMMITTEES

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

- 1<sup>ST</sup> RDG 1. AUTHORIZE SAFETY DIR TO ENTER INTO REVISED PARKING LEASE AGMT WITH DAY KETTERER LAW FIRM; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO TAX INCENTIVE AGMTS WITH PHOENIX RISING BHR, INC. PURSUANT TO CITY'S ECONOMIC GROWTH INITIATIVE; EMERGENCY  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 3. AMEND EXHIBIT A TO O#100/2011, AS AMENDED, CLASSIFICATION PLAN FOR MGMT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON, EMERGENCY (DEPT 80AU AUDITOR)  
Referred to Personnel Committee
- 1<sup>ST</sup> RDG 4. ESTABLISH FAIR REUSE 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 #02-84893, 208 WALKER CT NE, JAMES LEDFORD, JR)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 5. AMEND APPROP O#266/2014; EMERGENCY (\$437,000.00 SUPP APPROP FR UNAPPROP BAL OF 2211 COMMUNITY DEV FUND TO 2211 506001 COMMUNITY DEV - OTHER; \$214,860.00 SUPP APPROP FR UNAPPROP BAL OF 2219 EMERGENCY SHELTER GRANT FUND TO 2219 506001 EMERGENCY SHELTER GRANT - OTHER)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 6. AMEND APPROP O#266/2014; EMERGENCY (\$1,100,000.00 SUPP APPROP FR UNAPPROP BAL OF 1152 NI ACQUISITION DEMO DEBT FUND TO 1152 506001 NIP ACQUISITION DEMO DEBT - OTHER)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 7. AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OH, DEPT OF REHABILITATION & CORRECTION FOR RECEIPT OF FY 2016-2017 PROBATION IMPROVEMENT & INCENTIVE GRANT IN AMT OF \$88,822.00; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE 2765 PROBATION & IMPROVEMENT GRANT FUND; AMEND APPROP O#266/2014; EMERGENCY (\$82,822.00 SUPP APPROP FR UNAPPROP BAL OF 2765 PROBATION IMPROVEMENT & INCENTIVE GRANT FUND TO 2765 701001 PROBATION IMPROVEMENT & INCENTIVE GRANT - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 8. AMEND APPROP O#266/2014; EMERGENCY (\$36,000.00 APPROP TRF FR 2323 301001 - OTHER TO 2323 301001 - PERSONNEL; \$16,000.00 SUPP APPROP FR UNAPPROP BAL OF 2313 LOCAL HEALTH FUND TO 2313 301001 LOCAL HEALTH FUND - PERSONNEL)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 9. AUTHORIZE MAYOR OR SAFETY DIR TO ACCEPT IMPAIRED DRIVING ENFORCEMENT PROG FFY 2016 GRANT FR OH DEPT OF PUBLIC SAFETY IN AMT NOT TO EXCEED \$23,815.92; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 10. APPROVE AND ACCEPT REPLATTING OF LOTS 36904 AND 36905 AND PART OF LOT 36930; EMERGENCY (804 44<sup>TH</sup> ST NW, WARD 8, DRAKE & ASHLEY)  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 11. AUTHORIZE MAYOR OR SAFETY DIR TO ACCEPT SELECTIVE TRAFFIC ENFORCEMENT PROG FFY 2016 GRANT FR OH DEPT OF PUBLIC SAFETY IN AMT NOT TO EXCEED \$17,738.03; EMERGENCY  
Referred to Finance Committee

**(COUNCIL RECESSED AT 7:57 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #12; RECONVENED AT 7:59 PM)**

- 178/2015 12. AUTHORIZE MAYOR OR SERV DIR TO ACCEPT FUNDS FR JOBS OHIO IN AMT OF \$148,215.00 FOR EXPENSES ASSOC WITH PHASE 2 ENVIRONMENTAL ASSESSMENT OF FORMER WEBER DENTAL FACILITY; EMERGENCY (2206 13<sup>TH</sup> ST NE)  
Referred to Finance Committee

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

**(SUSPENDED RULE 22A TO ADD 2<sup>ND</sup> RDG O#13 - O#14 & O#16 - O#20; O#15 RETAINED IN COMMITTEE; O#19 & O#20 ADOPTED ON 2<sup>ND</sup> RDG)**

- 2<sup>ND</sup> RDG 13. AMEND SECTION 917.05, TREES TO BE REMOVED AND/OR PRUNED ALONG PUBLIC WAYS, OF THE CODIFIED ORDINANCES (JUD)

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

- 2<sup>ND</sup> RDG 14. AUTHORIZE MAYOR TO ENTER INTO ENTERPRISE ZONE AGMT WITH BALL METAL FOOD CONTAINER LLC TO PROVIDE REAL PROP TAX EXEMPTION; AUTHORIZE AUDITOR TO MAKE PAYMENTS TO CANTON CITY SCHOOL BD OF ED AS REQUIRED TO BE PAID PURSUANT TO SEC 5709.82(C) OF REVISED CODE; EMERGENCY (C&ED)
- RETAINED  
IN CMTE** 15. AUTHORIZE MAYOR TO ENTER INTO COMMUNITY REINVESTMENT AREA AGMT WITH HISTORIC BLISS LLC TO PROVIDE REAL PROP TAX EXEMPTIONS FOR PARCEL #209886, #243353 AND #244732 IN CANTON CENTRAL NEIGHBORHOODS COMMUNITY REINVESTMENT AREA; AUTHORIZE GRANTING OF 10 YR REAL PROP TAX EXEMPTIONS; EMERGENCY (C&ED)
- 2<sup>ND</sup> RDG 16. AUTHORIZE MAYOR TO ENTER INTO ENTERPRISE ZONE AGMT WITH LAKEBROOK PROPERTIES LLC TO PROVIDE REAL PROP TAX EXEMPTION; AUTHORIZE AUDITOR TO MAKE PAYMENTS TO CANTON CITY SCHOOL BD OF ED AS REQUIRED TO BE PAID PURSUANT TO SEC 5709.82(C) OF REVISED CODE; EMERGENCY (C&ED)
- 2<sup>ND</sup> RDG 17. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE A GRANT IN AMT NOT TO EXCEED \$175,000.00 FOR ECONOMIC AND CIVIC DEVEL; AMEND O#266/2014; EMERGENCY (APPROP TRANS OF \$175,000.00 FR 1001 506601 CIC EXPENSES - OTHER TO 1001 506001 COMMUNITY DEVELOPMENT ADMIN. - OTHER) (FIN)
- 2<sup>ND</sup> RDG 18. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO A 4-YR PROF SERV CONTRACT WITH ACLARA TECHNOLOGIES FOR MAINT OF CITY OF CANTON'S AUTOMATED METER READING SYSTEM; AMEND APPROP O#266/2014; EMERGENCY (\$17,353.80 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207003 WATER BILLING - OTHER; \$11,569.20 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 207003 SEWER BILLING - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (FIN)
- 179/2015 19. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO JOB RETENTION TAX INCENTIVE AGMT WITH DAY KETTERER LAW FIRM PURSUANT TO CITY'S INCENTIVE PROGRAMS; EMERGENCY (TO RETAIN APPROX 45 EMPLOYEES) (C&ED)
- 180/2015 20. APPROVE REPLAT OF PART OF LOTS 13830 AND 13831; EMERGENCY (JOHN & TRACY CROSBY @ 1701 EDWARDS AVE. NE) (PS&T)

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

- 181/2015 21. AMEND SEC 1351.03 OF PART 13, BUILDING CODE, OF CODIFIED ORDINANCES OF CITY OF CANTON (REGISTRATION FEES)
- 182/2015 22. AUTHORIZE MAYOR OR SERV DIR TO ENTER IN AGMT WITH GENTLEBROOK INC. FOR WATER MAIN EXTENSION WITHIN VILLAGE OF HARTVILLE; EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, September 28, 2015 in Council Caucus Room at 6:15 PM**

- 1) Finance Committee
- 2) Public Safety & Thoroughfares Committee
- 3) Community & Economic Development Committee
- 4) Personnel Committee

**MISCELLANEOUS BUSINESS:** Member West spoke about the Fugitive Safe Surrender Program, and provided flyers for everyone. He explained if someone has a warrant, they may surrender themselves and be provided an attorney. He said the Program also helps people get their license back. Member Smuckler said that tonight they passed for more inspections. He quoted Member Hawk by saying he is sick of the 25:40 drive by, which means 25 mph at 40 feet away. He said that the sidewalks on 23<sup>rd</sup> Street were a 25:40 and it was accepted. He is done with 25:40 drive by's, and feels they better do the job if they're getting paid this money. He feels it shows a lack of respect by not looking at the issues. Member Dougherty thanked everyone who helped with Feed the Needy. He said that Giant Eagle alone donated over \$2500 worth of items. He named and thanked many of the public officials and staff. Member Morris commented on how Member Dougherty always thanks everyone for their efforts with Feed the Needy, but does nothing for recognition. It's about helping people who need help. He personally thanked Member Dougherty, who received a standing ovation. Member Fisher mentioned that Joe Kolacsky from Giant Eagle is from the class of '95. He said he had a good time at Feed the Needy and had a great dance partner, Jill. He thanked Clerk Timberlake and indicated that she really runs everything. Member Hart addressed the speaker regarding the Round Up. He said that he has always fought for environmental issues. The bottom line, however, is the City has spent over two million cutting grass over the last few years, and we need to look at different ways.

**ADJOURNMENT:** 8:55 PM