

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

CANTON CITY COUNCIL

SEPTEMBER 28, 2015

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Mack Absent

INVOCATION: David Dougherty, Ward 6 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#6 - O#19; O#180/2015 Reconsidered and Adopted; O#23 Postponed Indefinitely)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Eugene Fete said he came to talk about the potholes on 38th St. but Member Mariol had already answered his questions by stating that the roads would not be fixed this year, they're very bad, but they're in the process of being fixed next year. Henry Preston spoke about the ongoing bad road problem on Logan Ave. between 25th and 26th Street, by the park. He said it looks like a rototiller went through there. He said that thousands of people use the park and the road has been this way for nearly six months. He also spoke about the chip and seal asphalt work down on Logan between 34th and 38th Street. He said the asphalt is so thin that the grass is coming through. Jennifer Herning spoke about strategic budgeting and feels that there will be none if the Courts don't start respecting the citizens and the citizens don't respect the Courts.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

346. COUNCIL MEMBER MACK, WARD 8: REQ LEGISLATION EFFECTUATING ESTABLISHMENT OF SEPARATE ENTERPRISE FUND FOR CITY OF CANTON BLDG DEPT AND ALL REVENUES AND EXPENDITURES ASSOCIATED. - FINANCE COMMITTEE
347. COURT ADMIN KOCHERA: REQ SUPP APPROP OF \$11,104.23 FR UNAPPROP BAL OF #2767-701001 JAIL DIVERSION GRANT FUND TO PERSONNEL #2767-701001 JAIL DIVERSION GRANT FUND. - FINANCE COMMITTEE
348. COURT ADMIN KOCHERA: REQ APPROP TRANSFER OF \$11,104.23 FR SALARY #2766-701001 MUNICIPAL PROBATION SERVICES FUND TO OTHER #2766-701001 MUNICIPAL PROBATION SERVICES FUND. - FINANCE COMMITTEE
349. HEALTH COMMISSIONER ADAMS: AMEND O#266/2014 (APPROP TRANSFER OF \$10,000.00 FR 2328 301001 - PERSONNEL TO 2328 301001 - OTHER) (GRANT EXPENSES). - FINANCE COMMITTEE
350. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO SOLE SOURCE CONTRACT WITH OHIO MACHINERY CO. DBA OHIO CAT FOR PURCH OF USED BACKHOE IN AMT NOT TO EXCEED \$76,000.00; AUTHORIZE MAYOR AND/OR SERV DIR TO SELL UNIT #4342, A USED EXCAVATOR NO LONGER NEEDED BY COLLECTIONS SYSTEMS DEPT, TO STREET DEPT; AUTHORIZE MAYOR AND/OR SERV DIR TO MAKE SEWER FUND WHOLE FOR THIS SALE BY PAYING AMT NOT TO EXCEED \$42,804.58 TO 5410 SEWER FUND FR 4502 202210 STREET MAINTENANCE - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE MAYOR TO ENTER INTO AGMT WITH CANTON COMM IMPROVEMENT CORP TO PROVIDE GRANT UTILIZING GENERAL FUND DOLLARS IN AMT NOT TO EXCEED \$75,000.00 FOR GRANTS, LOANS AND ADMIN COSTS; EMERGENCY
Referred to Finance Committee
- 1ST RDG 2. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO COOP AGMT WITH STARK CTY FOR NIMISHILLEN CREEK WATERSHED USGS STREAM GAUGE AND HYDRAULIC STUDY PROJ IN AMT NOT TO EXCEED \$33,310.00; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 3. AUTHORIZE HIRING OF MARC A. MORGAN AS ASSIST SUPERINTENDENT OF WATER RECLAMATION FACILITY; EMERGENCY
Referred to Personnel Committee
- 1ST RDG 4. AMEND EXHIBIT A TO O#40/2000 AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERS EMPLOYED BY CITY OF CANTON; EMERGENCY (DEPT. 10TE SAFETY DIRECTOR'S DEPT. OF TRAFFIC ENG AND SIGNAL ALARM - TRAFFIC ENG COORDINATOR, TRAFFIC ENG TECH 4, TRAFFIC ENG TECH 3, TRAFFIC ENG TECH 2; DEPT 20CE SERVICE DIRECTOR'S CITY ENG DIVISION - CIVIL ENG TECH V, CIVIL ENG TECH IV, CIVIL ENG TECH III, CIVIL ENG TECH II, CIVIL ENG TECH 1)
Referred to Personnel Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 5. AMEND O#58/2014; EMERGENCY (ESTABLISH ONE (1) ADDT'L \$6,500.00 ANNUAL STIPEND BE PAID TO ANY INDIVIDUAL WHO SIMULTANEOUSLY HOLDS ANY TWO (2) OF THE FOLLOWING THREE (3) POSITIONS: ASSIST. SUPERINTENDENT AT WRF, FACILITIES ENG AT WRF AND SANITARY SEWER ENG IN COLLECTIONS SYSTEMS DEPT.)
Referred to Personnel and Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD 2ND RDG O#6 - O#19)**

- 2ND RDG 6. 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&E) (C&E) (PS&T)
PUB HRG 10/5/15 @ 7:30 PM
- 2ND RDG 7. VACATE A PORTION OF FARWICK COURT NW; EMERGENCY (ROBERT KNIGHT) (PS&T)
PUB HRG 10/5/15 @ 7:30 PM
- 2ND RDG 8. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORD; EMERGENCY (3660 GREENTREE AVENUE S.W. (NEW DAWN DEVELOPMENT) FROM B-3 (GENERAL BUSINESS) TO PCS (PLANNED COMMUNITY SERVICE, WARD 4) (JUD) **PUB HRG 10/5/15 @ 7:31 PM**
- 2ND RDG 9. AUTHORIZE SAFETY DIR TO ENTER INTO REVISED PARKING LEASE AGMT WITH DAY KETTERER LAW FIRM; EMERGENCY (FIN)
- 2ND RDG 10. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO TAX INCENTIVE AGMTS WITH PHOENIX RISING BHR, INC. PURSUANT TO CITY'S ECONOMIC GROWTH INITIATIVE; EMERGENCY (C&E) (C&E)
- 2ND RDG 11. 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) (PERS)
- 2ND RDG 12. 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) (C&E) (C&E)
- 2ND RDG 13. 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) (C&E) (C&E)
- 2ND RDG 14. AMEND APPROP O#266/2014; EMERGENCY (\$1,100,000.00 SUPP APPROP FR UNAPPROP BAL OF 1152 NIP ACQUISITION DEMO DEBT FUND TO 1152 506001 NIP ACQUISITION DEMO DEBT - OTHER) (C&E) (C&E)
- 2ND RDG 15. 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) (FIN) (FIN)
- 2ND RDG 16. 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) (FIN) (FIN)
- 2ND RDG 17. 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 (FIN) (FIN)
- 2ND RDG 18. APPROVE AND ACCEPT REPLATTING OF LOTS 36904 AND 36905 AND PART OF LOT 36930; EMERGENCY (804 44TH ST NW, WARD 8, DRAKE & ASHLEY) (PS&T) (PS&T)
- 2ND RDG 19. 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 (FIN) (FIN)

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

- 180/2015 20. APPROVE REPLAT OF PART OF LOTS 13830 AND 13831; EMERGENCY (JOHN & TRACY CROSBY @ 1701 EDWARDS AVE. NE)
- 183/2015 21. AMEND SECTION 917.05, TREES TO BE REMOVED AND/OR PRUNED ALONG PUBLIC WAYS, OF THE CODIFIED ORDINANCES
- 184/2015 22. 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

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

- _____ 23. 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
- 185/2015 24. 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)
- 186/2015 25. 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, October 5, 2015 in Council Caucus Room at 6:45 PM**

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

MISCELLANEOUS BUSINESS: Member Smuckler commended Members Mariol and Mack for helping to make Market Square a reality. He said it was rare that people show up to give the city a check for \$200,000.00. He heard from friends that there was no way that \$1.00 would be raised. He thinks Members Mariol and Mack should submit a Resolution naming some part of Market Square on behalf of the Rotary. Deputy Mayor Williams told Member Morris that he would like to ask Council, publicly, if he could submit legislation next week, to be voted upon, to actually accept the \$100,000.00 donation. They must do that legally to accept the donation. He would like to pass it on first reading. Member Hart thinks Member Mariol and Member Mack did a wonderful thing. He thinks it's great that people have a sense of community and respond to it whether they live in that particular community or not. He commended Member Dougherty for the Feed the Needy, President Schulman for giving to the Stark County Hunger Task Force, and he also mentioned how people came together to give \$300,000.00 to construct a handicapped ramp at Lathrop School when he taught there. He thinks this is what makes Canton and Stark County a great place to live because we have people who are willing to give. Member Hawk also commended Member Mariol and Mack for their diligence and hard work on the Market Square Project. They understand that it's going to be the life blood of the community when downtown is hooked up with the Hall of Fame and working in conjunction with them. They worked hard to get the donations. We are going to have a chance to make our city grow and expand. Member Mariol said that his generation is definitely moving back to the urban areas, wanting to live downtown. One thing that made him want to get on Council was that he saw some exciting things happening downtown. He commended Member West for fighting for downtown and getting people invested in downtown. He thinks the things that Member West has done has put downtown Canton on the same level as downtown Akron and Cleveland. He also commended the Administration. He also addressed Mr. Preston regarding the comments he made on Logan. He said that around the park on Logan, they're doing a dig out. The Street Superintendent Rorar has identified a base issue. Rather than just putting asphalt down, they are bringing up the road in the area. They're rebuilding the base and asphaltting over it. It's taking a long time because Supt. Rorar is doing dig outs on a lot of roads throughout the city. When other high-traffic dig outs arise, he has to pull workers from the Logan area, which is a low traveled road, leading specifically to the park and send them to the other areas. Supt. Rorar is trying to permanently fix all of these roads. With regards to the chip and seal on Logan, it was done properly. When they sprayed the asphalt before they laid the top part, it probably got to the grass and that may be why Mr. Preston is seeing grass come up. He's certain that it was done properly.

ADJOURNMENT: 8:18 P,M.

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 5, 2015 @ 7:30 PM