

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

CANTON CITY COUNCIL

NOVEMBER 30, 2015

MAYOR ELECT THOMAS BERNABEI ANNOUNCED HIS CABINET

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Bill Smuckler, Council-at-Large

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Informal Resolution #38 Reconsidered & Adopted as Amended; Suspended Rule 22A to add 2nd Rdg O#3 - O#8; O#3 Adopted as Amended on 2nd Rdg; O#7 Adopted on 2nd Rdg; O#13 & O#20 Adopted as Amended; O#19 Postponed until 12/7/15)

PUBLIC HEARINGS:

7:30 PM AN ORDINANCE AMENDING ORDINANCE #55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; PLANNING COMMISSION RECOMMENDED APPROVAL (2835 W TUSCARAWAS ST, CANTON OHIO FROM B-3 (GENERAL BUSINESS) AND R-1 (SINGLE FAMILY RESIDENTIAL) TO PB-3 (PLANNED GENERAL BUSINESS) FETTMAN PROPERTY MANAGEMENT - WARD 3) (ONE SPEAKER)

SEE O#228/2015

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Patricia Kirk spoke about the Sarta buses #117 and #106 which used to go to Meyers Lake Plaza. She said that the owner of the Plaza no longer wanted the buses driving onto the parking lot because they tore it up. There is no place to get off the bus, and this has caused business to decline at the Plaza by about half. The owner of the Plaza finally came to an agreement with Sarta, but Sarta said no, they already made the changes. She is very upset about this and wants to know where to turn for help. Jim Adams, Director of the City Health Department, spoke about infant mortality. He said that the national rate for infant mortality is 5.96 and Stark County is 9.3. He feels this is unacceptable. He also indicated that black infants are dying at a higher rate. He spoke about a program that delivers pre-natal care in a group setting which includes the African American community. He said this is just the beginning of the program and hopes to carry it on. The Health Department has partnered with United Way to designate funds for this purpose. He encouraged everyone to donate on Giving Tuesday and to check out the website. Pete DiGiacomo spoke about the park levy. He said we need parks, but the taxpayers are tired of paying for levies. There was an article in the Canton Repository about the cherry trees planted on Maryland Avenue. He said the trees are 10 to 12 feet from the street, and in the winter will get sprayed with salt. There will be cost to maintain the trees, and he feels Council needs to think about how they're spending money. Elaine Schaffran spoke on behalf of Brian Ball who resides at 1130 Clarendon SW. He and his dog have been attacked by neighboring pit bulls. She believes these neighbors are breeding pit bulls and selling the puppies. They have been cited seven times for failure to control their dogs, yet the dogs remain in the residence. She has many questions regarding the laws for multiple pit bulls and the danger to children and neighbors, which she will forward to Councilman Griffin.

INFORMAL RESOLUTIONS:

38. COUNCIL-AS-A-WHOLE: REQ RENEWAL 5-YR, 4-MILL OR 5-MILL TAX LEVY FOR PARKS & RECREATIONAL PURPOSES. - RECONSIDERED & ADOPTED AS AMENDED

COMMUNICATIONS:

409. AUDITOR MALLONN: REQ \$2,024,930.56 SUPP APPROP FR UNAPPROP BAL OF 1153 HISTORIC ONESTO PROJ LOAN FUND TO 1153 501001 OTHER FOR PAYMENT OF CURRENT REVENUE BOND ANTICIPATION NOTE. - FINANCE COMMITTEE

410. CLERK OF COUNCIL TIMBERLAKE: (3) OBJECTIONS TO 2016 LIQUOR PERMIT RENEWALS. - JUDICIARY COMMITTEE

411. COUNCIL MEMBERS:
FRANK MORRIS (WARD 9)
KEVIN FISHER (WARD 5)
JOHN MARIOL (WARD 7)
EDMOND MACK (WARD 8) REQ LEGISLATION FREEZING PAY INCREASES FOR MGMT AND NON-BARGAINING UNIT EMPLOYEES & COUNCIL MEMBERS. - PERSONNEL & FINANCE COMMITTEES

412. DEPUTY MAYOR WILLIAMS:
FINANCE DIRECTOR DIRUZZA
SAFETY DIRECTOR PERRY
SERVICE DIRECTOR BARTOS 2016 BUDGET UPDATE. - RECEIVED & FILED

413. SAFETY DIRECTOR PERRY: REQ ALLOCATION OF ADDITIONAL FUNDING FOR SCOG IN AMT OF \$100,000 FR DRUG FEE FUND #2412 FOR PURCH OF DRUG & ALCOHOL ANALYSIS EQUIP FOR STARK COUNTY CRIME LAB. - FINANCE COMMITTEE

414. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE CHANGE ORDER #2 FOR WRF PHOSPHORUS/TOTAL NITROGEN PROJ - CONTRACT #26 WITH SHOOK CONSTRUCTION, INC. IN AMT OF \$766,518.00; REQ \$766,518.00 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJ (MEMBRANE) FUND TO 5442 206054 WRF PHOSPHORUS (CONSTRUCTION) - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE CITY AUDITOR TO PAY AMT NOT TO EXCEED \$3,195.00 TO HOWLAND CO.; EMERGENCY (ASBESTOS ABATEMENT FOR 1542 OLIVE PL NE)
Referred to Finance Committee
- 1ST RDG 2. AUTHORIZE CITY AUDITOR TO RECLASSIFY CODE & BUILDING DEPT FUNDING FR GENERAL FUND TO ENTERPRISE FUND; AUTHORIZE AUDITOR TO WORK IN CONJUNCTION WITH LAW DEPT AND BUILDING DEPT TO MAKE SAID CHANGES EFFECTIVE 1/1/16 AND TO ADVANCE ANY INTERFUND MONIES NECESSARY TO COVER EXPENSES UNTIL SAID FUNDS ARE REPAID BY COLLECTION OF FEES; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD 2ND RDG O#3 - O#8; O#3 ADOPTED AS AMENDED ON 2ND RDG; O#7 ADOPTED ON 2ND RDG)

AS AMENDED

- 226/2015 3. DECLARE WEEK OF DECEMBER 7 - DECEMBER 11, 2015 TO BE AMNESTY WEEK FOR ANY PERSON WITH UNPAID PARKING TICKETS AND UNPAID RENTAL REGISTRATION FEES; EMERGENCY (FIN)
- 2ND RDG 4. AMEND APPROP O#266/2014; EMERGENCY (\$47,500.00 SUPP APPROP FR UNAPPROP BAL OF 2762 INDIGENT DRIVER ALCOHOL TREATMENT FUND TO 2762 701001 INDIGENT DRIVER ALCOHOL TREATMENT - OTHER) (FIN)
- 2ND RDG 5. AMEND APPROP O#266/2014; EMERGENCY (\$13,767.17 SUPP APPROP FR UNAPPROP BAL OF 2767 701001 JAIL DIVERSION GRANT FUND - PERSONNEL TO 2767 701001 JAIL DIVERSION GRANT FUND - OTHER) (FIN)
- 2ND RDG 6. ACCEPT \$100,000.00 DONATION FROM ROTARY CLUB OF CANTON; AUTHORIZE SERV DIR TO ENTER INTO MEMORANDUM OF UNDERSTANDING WITH ROTARY TO ACCEPT DONATION; AUTHORIZE AND DIRECT CITY AUDITOR TO RE-ESTABLISH 2461 MARKET SQUARE DONATION FUND FOR PURPOSE OF ACCEPTING AND TRACKING SAID DONATION AND EXPENDITURES AND ANY RELATED DONATIONS TO MARKET SQUARE PROJ FR COMMUNITY ORGANIZATIONS AND NON-PROFITS; EMERGENCY (FIN)
- 227/2015 7. AMEND APPROP O#266/2014; EMERGENCY (\$55,636.00 SUPP APPROP FR UNAPPROP BAL OF 4509 2006 RECREATIONAL BOND FUND TO 4509 506001 COMMUNITY DEVELOPMENT - ADMIN - OTHER) (PPCI)
- 2ND RDG 8. SUBMIT TO ELECTORATE OF CANTON A RENEWAL OF 4.0 MILL LEVY OUTSIDE 10 MILL LIMITATION FOR CANTON PARKS SYSTEM FOR PERIOD NOT TO EXCEED 5 YEARS (PARKS & REC & FIN)

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

- 228/2015 9. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORD; EMERGENCY (2835 W TUSC ST FOR FETTMAN PROP MGMT FR B-3 GENERAL BUSINESS & R-1 SINGLE FAMILY RESIDENTIAL TO PB-3 PLANNED GENERAL BUSINESS, WARD 3) **PUB HRG 11/30/15 @ 7:30 PM**
- 229/2015 10. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH ALLIANCE FOR CHILDREN & FAMILIES TO PROVIDE GRANT UTILIZING HOME FUNDS IN AMT NOT TO EXCEED \$325,000.00 FOR CONSTRUCTION OF 10-UNIT APARTMENT COMPLEX WITH 30-BED CAPACITY FOR HOMELESS FAMILIES WITHIN THE CITY; EMERGENCY (500 BLOCK OF LINWOOD SW)
- 230/2015 11. APPROVE DEPT OF DEVELOPMENT'S AMENDED CITIZEN PARTICIPATION PLAN; EMERGENCY (HUD POLICIES)
- 231/2015 12. AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT OF MENTAL HEALTH AND ADDICTION SERV FOR RECEIPT OF FY 2016 SPECIALIZED DOCKET SUBSIDY GRANT IN AMT OF \$42,700.70; AMEND APPROP O#266/2014; EMERGENCY (\$42,700.70 UNAPPROP BAL OF 2797 SPECIALIZED DOCKET GRANT FUND TO 2797 701001 SPECIALIZED DOCKET GRANT - PERSONNEL)

AS AMENDED

- 232/2015 13. AMEND APPROP O#266/2014; EMERGENCY (\$48,850.00 SUPP APPROP FR UNAPPROP BAL OF GUARDRAIL/ATTENUATOR REPLACEMENT FD TO 2415 202210 STREET MAINT; APPROP TRFS FOR STREET MAINT, BLDG MAINT, PIROLOZZI, CENTRAL COMM, TRAFFIC, HUMAN RESOURCES, CIVIL SERV, URBAN FORESTRY PER EXHIBIT A)
- 233/2015 14. APPROVE EXERCISE OF 1-YR OPTION OF FUEL CREDIT CARD PROG WITH SPEEDWAY, LLC; EMERGENCY
- 234/2015 15. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT WITH STARK COUNTY PUBLIC DEFENDER COMMISSION FOR PROVISION OF LEGAL SERV TO INDIGENTS; EMERGENCY
- 235/2015 16. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO 36 MO EXTENSION OF CITY'S CURRENT CONTRACT WITH AT&T CORP FOR DS1, DS3 AND ISDN SERV AND TO NEGOTIATE AND ENTER INTO CONTRACT WITH AT&T CORP FOR IP FLEXIBLE SOLUTION TO REPLACE CITY'S CURRENT PHONE CARRIER SERV AND LONG DISTANCE SERV CONTRACTS; EMERGENCY

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

- 236/2015** 17. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERV AND/OR COOP PURCH CONTRACT PURSUANT TO CANTON CODIFIED ORDINANCE SEC 105.10 AND/OR SEC 105.11 WITH PRO ONCALL TECHNOLOGIES, LLC IN AMT NOT TO EXCEED \$44,000.00 TO UPGRADE CURRENT TOSHIBA PHONE SYSTEM, REPLACE EXISTING VOICEMAIL SERV AND PROVIDE 5 YR TOSHIBA SOFTWARE SUPPORT AND UPGRADE SERV; EMERGENCY
- 237/2015** 18. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERV CONTRACTS WITH PROF SERV INDUSTRIES, INC. FOR DESIGN, ENGINEERING, CONTRACT ADMIN AND OTHER PROF SERV FOR CITY HALL & CIRELLI BLDG ROOF REPAIR/REPLACEMENT PROJ AND TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACTS FOR SAID PROJ; EMERGENCY

POSTPONED UNTIL 12/7/15

- _____ 19. AMEND APPROP O#266/2014; EMERGENCY (\$3,000.00 APPROP TRF FR 1001 852001 TREASURER - OTHER TO 1001 852001 TREASURER - PERSONAL SERVICES; \$51,014.21 APPROP TRF FR 2120 852101 INCOME TAX - OTHER AND \$15,000.00 APPROP TRF FR 2120 852101 INCOME TAX - INCOME TAX REFUND TO 2120 852101 TREASURER - PERSONAL SERVICES IN AMT OF \$66,014.21)

AS AMENDED

- 238/2015** 20. AMEND TITLE NINE, TAXATION OF THE CODIFIED ORDINANCES OF CITY OF CANTON BY ADDITION OF CHAPTER 182, MUNICIPAL INCOME TAX (EFFECTIVE 1/1/16)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, December 7, 2015 in Council Caucus Room at 6:30 PM

1) Finance Committee

FOLLOW UP MEETING WITH STARK COUNTY LAND BANK

MISCELLANEOUS BUSINESS: Member Griffin reminded everyone of the joint Park and Rec Board meeting this Wednesday at 5:30 P.M. in Council Chambers. He encouraged everyone to attend.

ADJOURNMENT: 8:25 P.M.