

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

CANTON CITY COUNCIL

MARCH 7, 2016

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: President Schulman Absent

INVOCATION: Jason Scaglione, Ward 3 Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem Morris

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#5 - O#12; O#12 Adopted on 2nd Rdg)

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 (907 11TH ST NW, CANTON, OHIO FROM R-1A (SINGLE FAMILY RESIDENTIAL) AND PB-4 (PLANNED SPECIAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) HAMMER & NAILS, INC. - WARD 1) (NO SPEAKERS) **SEE O#33/2016**

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Marlene Chipko made a plea for help on behalf of Police Dispatch for relief from the overtime hours. She mentioned how the Repository came out about the high rate of pay, but didn't bother to address the long hours and decrease in staff. Last year alone dispatch handled approximately 100,000 calls for service and between 200,000 and 300,00 phone calls. Dispatchers must complete 18 weeks of intense training and endure a high level of stress on the job. She asked Council to give them the people they need and a schedule that makes sense, and the overtime problem will be solved. Patricia Kirk spoke about the open container application currently before Council. She feels it does not enhance the safety of the community. She asked Council to consider what's good for those who live here. She mentioned working with Law Director Martuccio and how the Tree Commission has proven to reduce crime, yet they have no funding. Brenda Kimbrough also spoke about the open container application. She is concerned about the example this will give to our children. While it may bring money to the city, the citizens will have to clean up afterwards. She feels people must be careful where they walk and what they touch. Her main concern are the children's groups. James Parker spoke against the transfer of a liquor license for the Hall of Fame Mart on Sherrick Road and Cherry Avenue SE. He stressed the need to clean up this area because it is not safe. He gave the example of Arthur Tyson who was the victim of an attack in that area, and urged Council to address the security concerns at the Hall of Fame Mart. He would also like to see better playgrounds and conditions for children to play. He demanded an executive order from either President Schulman or Majority Leader Morris that the Council-at-Large and Member Smith work on solutions to improve the safety conditions in this area. He concluded by saying that he has been working on this since 2011 and demands results, not excuses. Shirene Tapyrik spoke about the B-First Project she previously presented to Council which houses ten homeless families. She worked diligently on getting funding, and feels it has changed lives. She was recently invited to a neighborhood meeting in the Linwood Ave SW area where a new council member was also present. At this meeting she was ridiculed, mocked and mistreated. Upon leaving she was presented with a piece of paper which read, "welcome to the white citizens council," and was escorted out. She feels new council members should receive leadership training.

INFORMAL RESOLUTIONS:

- 27. COUNCIL-AS-A-WHOLE: AUTHORIZING NAMING OF SPRAY PARK LOCATED @ 1400 SHERRICK RD SE WAYNE DOUGLAS JAMERSON SPRAY PARK. - ADOPTED
- 28. COUNCIL-AS-A-WHOLE: COMMENDING 2015 CITIZEN OF THE YR, LINDA STRONG, FOR HER COMMUNITY SERVICE. - ADOPTED
- 29. COUNCIL-AS-A-WHOLE: COMMENDING 2015 CANTON POLICE OFFICER OF THE YR, CHRISTOPHER WELLS, FOR HIS DEVOTED SERVICE. - ADOPTED
- 30. PERSONNEL COMMITTEE: CONFIRMING RE-APPT OF REMEL MOORE TO TREE COMMISSION COMMENCING 1/1/16 THRU 12/31/17. - ADOPTED
- 31. PERSONNEL COMMITTEE: CONFIRMING RE-APPT OF JOHN STONE TO TREE COMMISSION COMMENCING 1/1/16 THRU 12/31/17. - ADOPTED
- 32. PERSONNEL COMMITTEE: CONFIRMING RE-APPT OF WILLIAM J. JEFFRIES TO TAX INCENTIVE REVIEW BOARD COMMENCING 1/1/16 THRU 12/31/17. - ADOPTED
- 33. PERSONNEL COMMITTEE: CONFIRMING RE-APPT OF INDIA JENKINS TO TAX INCENTIVE REVIEW BOARD TO FILL UNEXPIRED TERM COMMENCING 1/1/16 THRU 12/31/17. - ADOPTED

COMMUNICATIONS:

- 97. AUDITOR MALLONN: MTHLY REPORT BY FUND FOR 2/1/16 THRU 2/29/16. - RECEIVED & FILED
- 98. AUDITOR MALLONN: YRLY REPORT BY FUND FOR 1/1/16 THRU 2/29/16. - RECEIVED & FILED
- 99. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERTIFICATE DATED 2/29/16. - RECEIVED & FILED
- 100. AUDITOR MALLONN: REQ LEGISLATION FOR RE-ISSUANCE AND SALE OF GENERAL OBLIGATION BLDG IMPROVEMENT BOND ANTICIPATION NOTE NOT TO EXCEED \$3,500,000.00 TO PAY OFF CURRENT GENERAL OBLIGATION BLDG IMPROVEMENT BOND ANTICIPATION NOTE DUE 4/21/16; REQ \$3,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 4504 2015 CONSTRUC/RECONSTRUC NOTE FUND TO 4504 201001 OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

COMMUNICATIONS CONTINUED:

101. AUDITOR MALLONN: REQ LEGISLATION FOR RE-ISSUANCE AND SALE OF ECONOMIC DEVELOPMENT REVENUE BOND ANTICIPATION NOTE IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$5,000,000.00 TO PAY OFF CURRENT ECONOMIC DEVELOPMENT REVENUE BOND ANTICIPATION NOTE DUE 4/21/16. - FINANCE COMMITTEE
102. AUDITOR MALLONN: REQ LEGISLATION FOR RE-ISSUANCE AND SALE OF GENERAL OBLIGATION JUDGMENT BOND ANTICIPATION NOTE IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,200,000.00 TO PAY OFF CURRENT GENERAL OBLIGATION JUDGMENT BOND ANTICIPATION NOTE DUE 4/21/16. - FINANCE COMMITTEE
103. AUDITOR MALLONN: REQ LEGISLATION FOR RE-ISSUANCE AND SALE OF REVITALIZATION ANTICIPATORY NOTE IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,515,000.00 TO PAY OFF CURRENT REVITALIZATION ANTICIPATORY NOTE DUE 4/22/16 (DEMOS); REQ \$1,515,000.00 SUPP APPROP FR UNAPPROP BAL OF 1151 LAND REUTILIZATION AND NOTE FUND TO 1151 801001 OTHER. - FINANCE COMMITTEE
104. HEALTH COMMISSIONER ADAMS: AMEND O#177/2006 (INCREASE CHANGE DRAWER FUNDS FR \$100.00 TO \$200.00); REQ WITHDRAWAL OF COM #71 FR 2/22/16 AGENDA AS THIS COM CORRECTS AND REPLACES IT. - FINANCE COMMITTEE
105. LIQUOR CONTROL DIV: REQ C1, C2 LIQUOR PERMIT TRF FR HOF GAS, INC. DBA HALL OF FAME FUEL MART TO HALL OF FAME FUEL MART, INC. @ 2704 SHERRICK RD (WARD 4). - RECEIVED & FILED
106. MAYOR BERNABEI: ADVISING OF APPT OF CARLENE HARMON TO CIVIL SERVICE COMMISSION FOR 6 YR TERM COMMENCING 1/1/16 THRU 12/31/21. - RECEIVED & FILED
107. MAYOR BERNABEI: REQ CONSIDERATION AND ADOPTION OF APPLICATION FOR DOWNTOWN CANTON DESIGNATED OUTDOOR REFRESHMENT AREA (DORA) IN ACCORDANCE WITH R.C. SEC 4301.82. - DOWNTOWN DEVELOPMENT AND JUDICIARY COMMITTEES
108. MAYOR BERNABEI: ADVISING OF RE-APPT OF JAMES BOWE TO PLANNING COMMISSION FOR 6 YR TERM COMMENCING 1/1/16 THRU 12/31/21. - RECEIVED & FILED
109. MAYOR BERNABEI: ADVISING OF RE-APPT OF DANNY THOMPSON TO PLANNING COMMISSION FOR 6 YR TERM COMMENCING 1/1/16 THRU 12/31/21. - RECEIVED & FILED
110. MAYOR BERNABEI: REQ CONSIDERATION AND ADOPTION OF COMPREHENSIVE PLAN FOR CITY OF CANTON DATED 8/9/15 AND REVISED 2/20/16. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND SEC 1 (J) OF O# 177/2016; EMERGENCY (INCREASE CHANGE DRAWER FUNDS FR \$100.00 TO \$200.00)
Referred to Finance Committee
- 1ST RDG 2. AUTHORIZE COUNCIL TO ADOPT DEPT OF DEVELOPMENT'S AFFIRMATIVE MARKETING POLICY; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 3. AUTHORIZE CD DIR TO ADOPT, AMEND, AND DEFINE LIST OF LOW-INCOME OR MINORITY CONCENTRATIONS; EMERGENCY (FAIR HOUSING ACTION PLAN AS APPROVED BY HUD)
Referred to Community & Economic Development Committee
- 1ST RDG 4. REPEAL SEC 107.05, USE OF COUNCIL CHAMBERS, OF CODIFIED ORDINANCES OF CITY OF CANTON
Referred to Judiciary Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD 2ND RDG O#5 - O#12; O#12 ADOPTED ON 2ND RDG)**

- 2ND RDG 5. AUTHORIZE AUDITOR TO PAY VENDORS LISTED ON EXHIBIT A; EMERGENCY (MORROW CONTROL & SUPPLY - \$786.37; S.A. COMUNALE - \$903.60; B & C COMMUNICATIONS - \$863.21; ARROW INTERNAT'L - \$1,568.00; PATRICK MARTINEZ - \$110.00) (FIN)
- 2ND RDG 6. APPROVE AND ACCEPT REPLAT AND RENUMBERING OF PART OF OUTLOT 487 AND PART OF LOT 13145; EMERGENCY (DALE JONES FOR PIN OAK TREE, 2702 CLEVELAND AVE. SW, WARD 4) (PS&T)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 7. APPROVE AND ACCEPT REPLAT OF LOTS 36904 AND 36905 AND PART OF LOT 36930; EMERGENCY (MICHAEL & ANNA DRAKE AND DAVID & LUCINDA ASHLEY, CORNER OF 44TH ST NW & NORMAN AVE NW, WARD 8) (PS&T)
- 2ND RDG 8. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$1,005.25 TO HARRISON PAINT COMPANY; EMERGENCY (TRAFFIC SIGN & GRECO PAINTING MACHINE) (FIN)
- 2ND RDG 9. AUTHORIZE MAYOR OR SAF DIR TO RECEIVE AND APPROP COMMUNITY GRANT FROM WALMART IN AMT OF \$2,400.00 TO PURCHASE PORTABLE GAS DETECTORS AND MONITORS FOR FIRE DEPT; AMEND APPROP O#259/2015; EMERGENCY (\$2,400.00 FR UNAPPROP BAL OF 2783 FIRE DONATION FUND TO 2783 103002 FIRE DONATION - COMMUNITY GRANT - OTHER) (FIN)
- 2ND RDG 10. APPROVE CANTON CITY WATER MAIN EXTENSION TO LEXINGTON FARM NORTH NO. 1 IN PLAIN TWP; AUTHORIZE SERV DIR TO ENTER INTO CONTRACT(S) FOR EXTENSION OF WATER MAIN; EMERGENCY (PATRICK LONG - 12 PROPOSED RESIDENTIAL PROP) (EPU)
- 2ND RDG 11. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH BURGESS & NIPLE FOR DESIGN AND CONSTRUCTION OVERSIGHT OF SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ; AMEND APPROP O#259/2015; EMERGENCY (\$325,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207042 SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ - OTHER) (FIN)
- 32/2016 12. AMEND APPROP O#259/2015, AS AMENDED, BY MAKING SUPP APPROP AND INTER-FUND TRF; EMERGENCY (\$27,600.00 SUPP APPROP FR UNAPPROP BAL 1001 GENERAL FUND - OTHER TO 1001 753020 LAW NON OPERATIONAL LEGAL EXPENSE - OTHER; \$27,600.00 INTER-FUND TRF FR 1001 GENERAL FUND TO 1105 POLICE SETTLEMENT FUND) (FIN)

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

- 33/2016 13. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (907 - 11TH ST NW FOR DARLENE LEGHART, HAMMER & NAILS FR PB-4 (PLANNED SPECIAL BUSINESS) AND R-1A (SINGLE-FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS), WARD 1) **PUB HRG 3/7/16 @ 7:30 PM**
- 34/2016 14. AMEND O#38/2004; EMERGENCY (REDUCE PREMIUM RATE FOR COMPENSATED ABSENCES FR 125% TO 105% FOR ALL PAYROLLS IN 2016, RETRO TO FIRST PAYROLL OF YR)
- 35/2016 15. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE CONSTRUCTION CONTRACT FOR 41ST ST AND 49TH ST AREA WATER IMPROVEMENT PROJ; AMEND APPROP O#259/2015; EMERGENCY (\$143,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207041 41ST ST AND 49TH ST AREA WATER IMPROVEMENT PROJ - OTHER)
- 36/2016 16. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT AND EXECUTE PROF SRVS CONTRACT FOR CONSTRUCTION OVERSIGHT FOR MONUMENT ROAD WATER MAIN REPLACEMENT PROJ; AMEND APPROP O#259/2015; EMERGENCY (\$1,200,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207039 MONUMENT ROAD WATER MAIN REPLACEMENT PROJ - OTHER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**WEDNESDAY, March 9, 2016 in Council Caucus Room at 5:30 PM**

Finance Committee Work Session

MONDAY, March 14, 2016 in Council Caucus Room at 6:45 PM

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 3) Judiciary Committee

MISCELLANEOUS BUSINESS: Service Director Bartos recognized Finance Director Joe DiRuzza, thanked him for his service, and wished him the best in his new position. Finance Director DiRuzza said that it was an honor to serve as finance director for the last five years. He acknowledge the Administration and said they are one of the most talented group of people he ever worked with. He stated he will be present at the work session on Wednesday.

ADJOURNMENT: 8:35 P.M.

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 14, 2016 @ 7:30 PM