

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

CANTON CITY COUNCIL

MARCH 14, 2016

**ROLL CALL:** All Members Present

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

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

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

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#9 - O#12; O#13, O#17 and O#18 Adopted as Amended)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Pete DiGiacomo stated that he supports the passage of the Park Levy but had some concerns. He read in the Repository that Park Dir. Gordon wants to spend \$80,000.00 to \$100,000.00 upgrading the Spring House. The Spring House is located near Stadium Park and is where citizens can go to fill jugs with spring water. In the article, Park Dir. Gordon stated that he has budgeted \$40,000.00 towards the upgrades and is hoping to get donors to pay the remainder. Mr. DiGiacomo wants Council Members to look into the issue because he doesn't believe the City, in it's current financial state, should be spending that kind of money on the Spring House.

**INFORMAL RESOLUTIONS:** None

**COMMUNICATIONS:**

111. ANNEXATION CHAIRMAN WEST: REQ STATEMENT OF SERVICES FOR PILOT ANNEXATION. - ANNEXATION COMMITTEE
112. CANTON MUNICIPAL COURT: ADVISING OF REVISED COURT COST SCHEDULE TO GO INTO EFFECT 4/1/16; DIVERSION OF PROCEEDS OF INCREASED COURT COSTS IN AMT OF \$635,000.00 TO BENEFIT CITY OF CANTON GENERAL REV FUND (GRF); REVISED GENERAL REV FUND BUDGET REQ FR JUDGES ADMIN AND CLERK OF COURT FOR REDUCTION OF \$176,909.00; ADDT'L DIVERSION OF \$56,000.00 FR GRF TO FORFEITURE BOND ENTERPRISE FUND UPON FUNDING STREAM BEING MADE AVAILABLE; AGREE TO EVALUATE FEASIBILITY OF RECEIPTING, COLLECTING AND DISTRIBUTING FEE FOR CITY'S LANDLORD REGISTRATION PROCESS AND CITY'S PARKING VIOLATIONS BUREAU. - RECEIVED & FILED
113. COUNCIL MEMBER HARMON: AMEND CITY ORD CHAPTER 361, RELATED TO MUNI PARKING ENFORCEMENT, TO ADOPT PROVISIONS IN O.R.C. 4521.02, "LOCAL, NONCRIMINAL PARKING INFRACTIONS". - JUDICIARY COMMITTEE
114. MAYOR BERNABEI: REQ. RE-APPT OF ROBERT THOMPSON TO FAIR EMPLOYMENT PRACTICES BOARD FOR 3-YR TERM COMMENCING 3/1/16 - 12/31/18. - PERSONNEL COMMITTEE
115. MAYOR BERNABEI: REQ. RE-APPT OF DEBORAH ROHRBACH TO FAIR EMPLOYMENT PRACTICES BOARD FOR 3-YR TERM COMMENCING 3/1/16 - 12/31/18. - PERSONNEL COMMITTEE
116. MAYOR BERNABEI: REQ ADOPT OF GENERAL FUND BUDGET. - FINANCE COMMITTEE
117. PLANNING COMMISSION: REQ REPLAT OF LOTS 23336, 23337, 23338, 23339, 23340, AND 23341, 2400 BLOCK OF 25<sup>TH</sup> NE (HABITAT FOR HUMANITY, WARD 9). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
118. PLANNING COMMISSION: AUTHORIZE ZONE CHANGE FOR P.A.L. MISSION FR R-2 (TWO FAMILY RESIDENTIAL) TO PB-1 (PLANNED OFFICE BUSINESS DISTRICT) AT 1316 3<sup>RD</sup> ST. SE, PARCEL #206330, WARD 4. - JUDICIARY COMMITTEE
119. PLANNING COMMISSION: AUTHORIZE ZONE CHANGE FOR HAMMER & NAILS FR R-1A (SINGLE FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS) AT 1101 SHORB AVE NW, PARCEL #232650, WARD 1. - JUDICIARY COMMITTEE
120. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR THE FIRST TEE OF CANTON NO. 2 ANNEXATION (OS - OPEN SPACE, WARD 6). - ANNEXATION COMMITTEE

**COMMUNICATIONS CONTINUED:**

121. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO COOP AGMT WITH STARK CO. AND STARK CO. SHERIFF TO SHARE COSTS, MAINTENANCE AND USAGE OF 800 MEGAHERTZ MIXED MODE TRUNKED SIMULCAST SMARTZONE RADIO SYSTEM, RETRO TO 7/13/15 - 12/31/18; AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO VARIOUS AGMTS WITH VARIOUS OUTSIDE AGENCIES, PUBLIC ENTITIES, ETC, STARK CO. AND/OR STARK CO. SHERIFF TO LEASE SPACE ON THE SHARED CITY/COUNTY SHARED 800 MEGAHERTZ MIXED MODE TRUNKED SIMULCAST SMARTZONE RADIO SYSTEM; AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO VARIOUS AGMTS WITH STARK CO. AND/OR THIRD PARTIES FOR MAINTENANCE AND UPKEEP OF THE SHARED CITY/COUNTY SHARED 800 MEGAHERTZ MIXED MODE TRUNKED SIMULCAST SMARTZONE RADIO SYSTEM; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
122. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO APPROP UNAPPROP BAL OF \$69,709.00 INTO FUND 2770 ON BEHALF OF CANTON POLICE DEPART. HALF OF FUNDS (\$34,854.50) WILL BE SHARED WITH STARK CO. SHERIFF'S OFFICE AS AGREED UPON (DIRECTED PATROL OVERTIME). - FINANCE COMMITTEE
123. SAFETY DIRECTOR PERRY: AMEND O#9/2016 (\$1,798,815.33 SUPP APPROP FR UNAPPROP CASH BAL OF 7509 TO 7509 101501 CODE ENFORCEMENT ADMIN OTHER; INTRA-FUND TRFS OF \$30,000.00 FR 2160 202210 OTHER, \$41,493.00 FR 2160 505010 PERSONNEL, \$4,300.00 FR 2160 505010 OTHER TO 2160 101501 OTHER - \$75,793.00 (BOND FORECLOSURE REFUNDS AND BOARD UPS). - FINANCE COMMITTEE
124. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDERS NO. 4 THROUGH NO. 9 FOR THE FOR 12<sup>TH</sup> ST NORTH CORRIDOR PROJ, PID 85299, GP 1098 WITH CENTRAL-ALLIED ENTERPRISES , INC. FOR NET AMT OF \$93,355.27; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
125. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX ACCT FOR FEBRUARY 2016. - RECEIVED & FILED
126. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR FEBRUARY 2016. - RECEIVED & FILED

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

- 1<sup>ST</sup> RDG 1. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$3,500,000.00 FOR PURPOSE OF PAYING COST OF ACQUIRING, CONSTRUCTING, RECONSTRUCTING AND IMPROVING CITY BLDGS, INCLUDING, THE REPLACEMENT OF CITY HALL ROOF, CIVIC CENTER ROOF AND IMPROVEMENTS TO OTHER CITY FACILITIES  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG 2. AMEND APPROP O#259/2015; EMERGENCY (\$3,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 4504 2015 CONSTRUC/RECONSTRUC NOTE FUND TO 4504 201001 - OTHER) (CITY HALL AND CIVIC CENTER ROOF BOND)  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG 3. PROVIDE FOR ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN MAXIMUM AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$5,000,000.00 TO PROVIDE FUNDS TO PAY PORTION OF COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING, FURNISHING OR EQUIPPING ECONOMIC DEVELOPMENT PROJ IN THE CITY; AUTHORIZE RELATED MATTERS; EMERGENCY (HALL OF FAME VILLAGE)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 4. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,200,000 FOR PURPOSE OF PROVIDING FUND TO PAY A COURT-APPROVED SETTLEMENT OF CLAIM AGAINST THE CITY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,515,000 FOR PURPOSE OF PAYING COSTS OF REVITALIZATION IN CITY AND ADDRESSING PROP CONDITIONS DELETERIOUS TO PUBLIC HEALTH AND SAF THRU DEMOLITION OF DETERIORATING STRUCTURES AND IMPROVEMENT OF THOSE SITES, ENABLING USE OR REUSE OF LAND IN CITY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 6. AMEND APPROP O#295/2015; EMERGENCY (\$1,515,000.00 SUPP APPROP FR UNAPPROP BAL OF 1151 LAND REUTILIZATION & NOTE FUND TO 1151 801001 - OTHER)  
Referred to Finance Committee

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

- 1<sup>ST</sup> RDG 7. CREATE A DESIGNATED OUTDOOR REFRESHMENT AREA AND ESTABLISH REQUIREMENTS TO ENSURE PUB HEALTH AND SAF WITHIN SUCH AREA; EMERGENCY (DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT)  
Referred to Downtown Development & Judiciary Committees
- 1<sup>ST</sup> RDG 8. AUTHORIZE ADOPTION OF COMPREHENSIVE PLAN FOR THE CITY OF CANTON, OH; EMERGENCY  
Referred to Community & Economic Development Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD 2<sup>ND</sup> RDG O#9 - O#12)**

- 2<sup>ND</sup> RDG 9. AMEND SEC 1 (J) OF O# 177/2016; EMERGENCY (INCREASE CHANGE DRAWER FUNDS FR \$100.00 TO \$200.00)  
(FIN)
- 2<sup>ND</sup> RDG 10. AUTHORIZE COUNCIL TO ADOPT DEPT OF DEVELOPMENT'S AFFIRMATIVE MARKETING POLICY; EMERGENCY  
(C&ED)
- 2<sup>ND</sup> RDG 11. AUTHORIZE COMMUNITY DEVELOPMENT DIR TO ADOPT, AMEND, AND DEFINE LIST OF LOW-INCOME OR MINORITY CONCENTRATIONS; EMERGENCY (FAIR HOUSING ACTION PLAN AS APPROVED BY HUD)  
(C&ED)
- 2<sup>ND</sup> RDG 12. REPEAL SEC 107.05, USE OF COUNCIL CHAMBERS, OF CODIFIED ORDINANCES OF CITY OF CANTON  
(JUD)

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

- 37/2016 13. 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)
- 38/2016 14. 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)
- 39/2016 15. APPROVE AND ACCEPT REPLAT OF LOTS 36904 AND 36905 AND PART OF LOT 36930; EMERGENCY (MICHAEL & ANNA DRAKE AND DAVID & LUCINDA ASHLEY, CORNER OF 44<sup>TH</sup> ST NW & NORMAN AVE NW, WARD 8)
- 40/2016 16. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$1,005.25 TO HARRISON PAINT COMPANY; EMERGENCY (TRAFFIC SIGN & GRECO PAINTING MACHINE)

**AS AMENDED**

- 41/2016 17. 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)

**AS AMENDED**

- 42/2016 18. 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)
- 43/2016 19. 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)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, March 21, 2016 in Council Caucus Room at 6:30 PM**

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 3) Downtown Development Committee
- 4) Public Property Capital Improvement Committee
- 5) Judiciary Committee

**MISCELLANEOUS BUSINESS:** Member Hawk recognized Mayor Bernabei's being on the Dean's List 50 years ago at Brown University. Member Harmon commended the Canton Municipal Court and their Communication #112 on the Agenda. The Court has estimated that they will be able to provide \$635,000.00 to the City this year. Member Mack reminded everyone that the election is tomorrow and encouraged everyone to support the Park Levy. Member Morris assured Mr. Digiacoio that since he is the Chairman of the Parks & Recreation Committee, he will look into the issue of upgrading the Spring House. Member Morris said although he gets his water from there, it's only a fountain. Member Morris also encouraged everyone to get out and vote in support of the Park Levy.

**ADJOURNMENT:** 7:55 P.M.