

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

CANTON CITY COUNCIL

MARCH 28, 2016

**ROLL CALL:** Eleven Members Present

**MOTION TO EXCUSE MEMBERS:** Member Smuckler Absent

**INVOCATION:** John Mariol, Ward 7 Council Member

**PLEDGE OF ALLEGIANCE:** President Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>st</sup> Rdg O#2 and O#3; add 2<sup>nd</sup> Rdg O#4 - O#10; O#2 and O#3 Adopted on 1<sup>st</sup> Rdg, O#10 Adopted as Amended on 2<sup>nd</sup> Rdg; O#12 Adopted as Amended; O#16 Adopted as Amended)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Nick Mussulin spoke regarding his concerns over the DORA Project. Although he fully supports DORA, he has heard rumors that bar owners are going to be required to purchase special containers from the Chamber of Commerce. He's heard that when drinks are sold, there will be a \$1.00 fee added to the cost of the drink to cover the cup purchase. He believes this "drinking fee" isn't good for business and that it insults downtown visitors who will either purchase fewer beverages or think twice before coming downtown to a Canton sponsored event. He's also concerned that people will bring their own drinks to the downtown area. Henry Preston believes that Council has spent money foolishly. He talked about Council spending over \$1 million on the Kresge Lot and thinks it's a bit foolish when there is lots of crime in the city. He received a service report from the Police Department on the Rite Aid Store at 227 Market Ave. North and found that it had 95 service requests in the last 8 years. He believes the City needs to concentrate on keeping downtown safe before spending any kind of money at all.

**INFORMAL RESOLUTIONS:**

36. COUNCIL-AS-A-WHOLE: RECOGNIZING SAM SLIMAN, JOHN RINALDI, JR. AND DEREK GORDON FOR THEIR EFFORTS IN LEADING THE PASSAGE OF ISSUE 5, THE PARKS AND RECREATION LEVY. - ADOPTED

**COMMUNICATIONS:**

133. CANTON WATER WORKS: ANNUAL REPORT FOR 2015. - RECEIVED & FILED

134. COUNCIL MEMBER DOUGHERTY: REQ WITHDRAWAL OF COMM #128 FROM 3/14/16 AGENDA. - RECEIVED & FILED

135. LIQUOR CONTROL DIVISION (OHIO): REQ TRAN OF D1 PERMIT FROM HAMLIN COFFEE CO LLC DBA HAMLIN COFFEE TO BUZZBEAN LLC DBA BUZZBEAN @ 309 CLEVELAND AVE NW 1<sup>ST</sup> FLR ONLY. - RECEIVED & FILED

136. MAYOR BERNABEI: ADVISING OF APPT OF MARK CROUSE TO CABINET POSITION OF FINANCE DIRECTOR. - RECEIVED & FILED

137. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO APPROPRIATE UNAPPROP BAL OF \$50,472.16 INTO POLICE DONATION FUND #2776 ON BEHALF OF CPD REC'D AS DONATIONS IN MEMORY OF K-9 JETHRO. - FINANCE COMMITTEE

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

1<sup>ST</sup> RDG 1. APPROVE CANTON CITY WATER MAIN EXTENSION TO PLAIN TOWNSHIP; AUTHORIZE SERV DIR TO ENTER INTO AGMTS FOR EXTENSION OF SAID WATER MAIN; EMERGENCY (LOT #103 WOODCREST AVE NE)  
Referred to Environmental & Public Utilities Committee

***(COUNCIL RECESSED AT 7:47 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES TO DISCUSS ORDINANCES #2 AND #3; RECONVENED AT 7:51 PM)***

49/2016 2. AUTHORIZE MAYOR OR SERV DIR TO ADOPT CITY'S TWO NEIGHBORHOOD REVITALIZATION STRATEGY AREAS (NRSA) AS BLIGHTED AREAS; EMERGENCY  
Referred to Community & Economic Development Committee

50/2016 3. AUTHORIZE CITY AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$19,250.00 TO ALBORN EXCAVATING LLC; EMERGENCY (RETAINING WALL @ FENTON AVE NE AND 4<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#4 - O#10; O#10 ADOPTED AS AMENDED ON 2<sup>ND</sup> RDG)**

2<sup>ND</sup> RDG 4. AMEND AND UPDATE CHAPTER 539 OF CODIFIED ORDINANCES OF CITY OF CANTON (PARKS)  
(JUD)

2<sup>ND</sup> RDG 5. APPROVE STATEMENT OF SRVS TO BE PROVIDED TO PROPERTY OWNER IN PILOT ANNEX AREA, APPROX DATE SRVS WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO CITY OF CANTON, OH; EMERGENCY  
(ANNEX)

2<sup>ND</sup> RDG 6. APPROVE AND ACCEPT REPLATTING OF LOTS 23336-23341; EMERGENCY (2400 BLOCK 25<sup>TH</sup> ST NE, HABITAT FOR HUMANITY, WARD 9)  
(PS&T)

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

2<sup>ND</sup> RDG 7. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO COOP AGMT WITH COUNTY OF STARK, OHIO AND STARK COUNTY SHERIFF TO SHARE COSTS, MAINTENANCE, AND USAGE OF 800 MEGAHERTZ MIXED MODE TRUNK SIMULCAST SMARTZONE RADIO SYSTEM; ENTER INTO VARIOUS AGMTS WITH VARIOUS OUTSIDE AGENCIES, PUBLIC ENTITIES, ETC., COUNTY OF STARK, OHIO, AND/OR STARK COUNTY SHERIFF TO LEASE SPACE ON SHARED RADIO SYSTEM; AND TO ENTER INTO VARIOUS AGMTS WITH COUNTY OF STARK, OHIO AND/OR THIRD PARTIES FOR MAINTENANCE AND UPKEEP OF SHARED RADIO SYSTEM; EMERGENCY (FIN)

2<sup>ND</sup> RDG 8. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDERS NO. 4 THRU NO. 9 IN AMT OF \$93,355.27 WITH CENTRAL-ALLIED ENTERPRISES, INC. FOR 12<sup>TH</sup> ST NORTH CORRIDOR PROJ, PID 85299, GP 1098; EMERGENCY (FIN)

2<sup>ND</sup> RDG 9. AMEND APPROP O#259/2015; EMERGENCY (\$69,709.00 FR UNAPPROP BAL OF 2770 2015 BYRNE MEMORIAL GRANT FUND TO 2770 2015 BYRNE MEMORIAL GRANT - OTHER) (FIN)

**AMENDED AS**

51/2016 10. AMEND O#9/2016; EMERGENCY (\$1,798,815.33 SUPP APPROP FR UNAPPROP 7509 CASH BAL TO 7509 101501 CODE ENFORCEMENT ADMIN - OTHER; \$30,000.00 APPROP TRFS FR 2160 202210 - OTHER, \$41,493.00 FR 2160 505010 - PERSONNEL; \$4,300.00 FR 2160 505010 - OTHER TO 2160 101501 - \$75,793.00) (FIN)

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

52/2016 11. 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

**AMENDED AS**

53/2016 12. 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)

54/2016 13. 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)

55/2016 14. 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

56/2016 15. 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

**AMENDED AS**

57/2016 16. 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)

58/2016 17. AUTHORIZE ADOPTION OF COMPREHENSIVE PLAN FOR THE CITY OF CANTON, OH; EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, April 4, 2016 in Council Caucus Room at 7:00 PM**

1) Environmental & Public Utilities Committee

**MISCELLANEOUS BUSINESS:** Member Mack addressed Mr. Mussulin's concerns with the DORA Project by explaining that the Project does not work with the Chamber of Commerce, but their partnership in the implementation is with the Special Improvement District, a tax-exempt, non profit organization, which was specifically created by the Council through an Ordinance. There is no plan that will result in any profit. Should any establishment choose to participate in the area, which will be voluntary, the cost of the cups won't be assessed to every drink that the establishment sells, it will only be on those cups that someone takes outside. That will be up to the permit holder. The actual amount was calibrated in terms of a business loss/profit analysis because the SID will actually be paying 2 off-duty Canton Police Officers to specifically patrol that area. That will be where the money from the cup revenue goes. Member Hawk mentioned that when the Special Improvement District was established, the property owners in that District agreed to tax themselves at a higher rate in order to fund the Special Improvement District. Member West invited Mr. Preston to meet with him after the meeting to discuss his issues with downtown, specifically the property he referred to in Public Speaks.

**ADJOURNMENT:** 8:18 P.M.

**NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, APRIL 4, 2016 @ 7:30 PM**