

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

CANTON CITY COUNCIL

APRIL 25, 2016

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: President Schulman Absent

INVOCATION: Rev. Dr. Walter J. Arrington, Peoples Baptist Church

PLEDGE OF ALLEGIANCE: President Pro Tem Morris

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1ST Rdg O#3; 2nd Rdg O#6 - O#11; O#5 Retained in Committee; O#3 Adopted on 1st Rdg; O#11 Adopted on 2nd Rdg)

PUBLIC HEARINGS:

- 7:30 PM AN ORDINANCE AUTHORIZING CANTON TO CREATE A DESIGNATED OUTDOOR REFRESHMENT AREA AND ESTABLISH REQUIREMENTS TO ENSURE PUB HEALTH AND SAFETY WITHIN SUCH AREA; EMERGENCY (DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT) (WARD 2)
(9 SPEAKERS) **O#69/2016**
- 7:31 PM AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE FIRST TEE OF CANTON NO. 2 ANNEXATION AREA CONTAINING APPROXIMATELY 0.099 ACRES; ASSIGNING TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS OS (OPEN SPACE); EMERGENCY (PLANNING COMMISSION RECOMMENDED APPROVAL) (NO SPEAKERS) **O#70/2016**
- 7:32 PM AN ORDINANCE AMENDING O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (1316 - 3RD ST S.E., FROM R-2 (TWO FAMILY RESIDENTIAL) TO PB-1 (PLANNED OFFICE BUSINESS) FOR P.A.L. MISSION IN WARD 4, PLANNING COMMISSION RECOMMENDED APPROVAL) (NO SPEAKERS) **O#71/2016**
- 7:33 PM AN ORDINANCE AMENDING O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (1101 SHORB AVENUE N.W., FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS) FOR HAMMER & NAILS IN WARD 1, PLANNING COMMISSION RECOMMENDED APPROVAL) (NO SPEAKERS) **O#72/2016**

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): None

INFORMAL RESOLUTIONS:

37. COUNCIL MEMBERS:
WARD 4 COUNCIL MEMBER SMITH,
COUNCIL AT LARGE SMUCKLER
- RECOGNIZE AND COMMEND REV. DR. WALTER J. ARRINGTON FOR 30 YRS OF SERVICE AS PASTOR OF PEOPLES BAPTIST CHURCH OF CANTON, OHIO. - ADOPTED

COMMUNICATIONS:

165. AGENT, STEPHEN W. FUNK: REQ ZONE CHG OF SOUTH OF S.R. 30 AND NORTH OF 21ST ST. FR BROOKS AVE. TO R.R., APPROX 17,582 ACRES OF LAND, FOR MARATHON PETROLEUM COMPANY LP. - PLANNING COMMISSION
166. AGENT FOR PETITIONER, SLIMAN: COPY OF ANNEXATION PETITION DOCUMENTS FILED WITH STARK COUNTY COMMISSIONERS FOR THE PILOT ANNEXATION. - RECEIVED & FILED
167. COUNCIL MEMBER WEST: REQ LEGISLATION TO HONORARILY NAME NUMBERED STREETS FR 24TH ST NORTH TO 9TH ST SOUTH TO REFLECT 32 NFL TEAMS, LOGOS & CURRENT STREET NAMES. - DOWNTOWN DEVELOPMENT COMMITTEE
168. COUNCIL MEMBER WEST: REQ LEGISLATION CREATING SPECIAL SIDEWALK DISTRICT FOR FOOTBALL WALK OF FAME PROGRAM WITHIN DOWNTOWN DISTRICT. - DOWNTOWN DEVELOPMENT COMMITTEE
169. COUNCIL MEMBERS:
WARD 5 COUNCIL MEMBER FISHER
WARD 9 COUNCIL MEMBER MORRIS
- REQ APPROP TRF FR COMMUNITY DEVELOPMENT TO POLICE ADMIN & POLICE RECORDS ROOM TO RESTORE OPERATIONS AND PROVIDE BETTER SERV & SAF TO CITIZENS (\$67,000.00 APPROP TRF FR COMMUNITY DEV TO 1001 102001 POLICE ADMIN - OTHER (\$22,500.00), 1001 102010 POLICE RECORDS ROOM - PERSONNEL (\$44,500.00). - PERSONNEL & FINANCE COMMITTEES
170. DEPUTY MAYOR WILLIAMS: REQ MAYOR AND/OR SERV DIR BE AUTHORIZED TO AMEND ENTERPRISE ZONE AGMT #038-08-01, DATED 5/5/08 BETWEEN CITY OF CANTON AND HYDRODEC N.A, E.Z. AGMT FOR REMAINDER OF AGMT TERM. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
171. MAYOR BERNABEI: AUTHORIZE MAYOR TO ENTER INTO AGMT WITH CANTON COMMUNITY IMPROVEMENT CORPORATION (CCIC) TO PROVIDE GRANT UTILIZING GENERAL FUND DOLLARS IN AMT NOT TO EXCEED \$50,000.00. - FINANCE COMMITTEE
172. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO APPROP UNAPPROP BAL OF \$69,709.00 FR 2015 EDWARD BYRNE GRANT (2015-DJ-BX-0032) INTO FUND 2769 CPD. - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

173. SAFETY DIRECTOR PERRY: APPROVE DEMO OF 3 PROP WHICH CONSTITUTE PUBLIC NUISANCE ON BEHALF OF CANTON BLDG. DEPT. (1029 9TH ST NW - PARCEL #215199; 3919 MAHONING RD NE - PARCEL #204692; 434 LAWN AVE NW - PARCEL #215617). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
174. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO APPROP UNAPPROP REMAINING BAL OF \$39.84 FR 2013 EDWARD BYRNE GRANT (2013-DJ-BX-0097) TO PLACE INTO FUND 2772 ON BEHALF OF CPD. - FINANCE COMMITTEE
175. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 3/31/16. - RECEIVED & FILED
176. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR ON BEHALF OF CPD, TO APPROP \$49,000.00 INTO FUND 4501 FOR PURCH OF BODY ARMOR PER COLLECTIVE BARGAINING AGMTS. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. APPROVE STATEMENT OF SERVS TO BE PROVIDED TO PROP OWNER IN 1400 GRACE AVE. ANNEXATION AREA, APPROX DATE SERVS WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY; EMERGENCY
Referred to Annexation Committee
- 1ST RDG 2. AUTHORIZE ADOPTION OF PROPOSED CANTON PARKS MASTER PLAN AS SUBORDINATE PLAN TO COMPREHENSIVE PLAN FOR CITY OF CANTON; EMERGENCY
Referred to Parks & Recreation Committee

(COUNCIL RECESSED AT 8:14 P.M. FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #3; RECONVENED AT 8:15 P.M.)

- 67/2016 3. DECLARE 5 BLDGS LISTED ON EXHIBIT A TO BE PUBLIC NUISANCES; AUTHORIZE SAF DIR TO ENTER INTO CONTRACTS FOR DEMO OF SAID BLDGS; AUTHORIZE CLERK OF COUNCIL TO CERTIFY COSTS OF DEMO TO STARK CO. AUDITOR; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 4. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR LISTS OF UNPAID AND DELINQUENT CHARGES FOR ALL COSTS ASSOCIATED WITH SERVS PERFORMED BY AND/OR ON BEHALF OF THE CANTON STREET DEPT AND URBAN FORESTRY DIVISION OF ENGINEERING DEPT IN 2015
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD 2ND RDG O#6 - O#11; O#5 RETAINED IN COMMITTEE; O#11 ADOPTED ON 2ND RDG)

RETAINED IN COMMITTEE

- 2ND RDG 5. ADD CHAPTER 1352, VACANT COMMERCIAL PROPERTY MAINTENANCE AND STANDARDS, TO BLDG CODE OF CODIFIED ORDINANCES OF CITY OF CANTON (JUD)
- 2ND RDG 6. AUTHORIZE MAYOR TO FILE WITH US DEPT OF HOUSING AND URBAN DEVELOPMENT (HUD) 2016 ANNUAL ACTION PLAN FOR 2016 COMMUNITY DEVELOPMENT BLOCK GRANT, 2016 HOME INVESTMENT PARTNERSHIP AND 2016 EMERGENCY SOLUTIONS GRANT PROGRAMS; RATIFY SUBMISSION AND FILING OF SAID PLAN; AUTHORIZE MAYOR TO EXECUTE GRANT AGMTS WITH HUD AND TO ACCEPT FUNDING FOR 3 PROGRAMS; EMERGENCY (CDBG, HOME & ESG PROGRAMS) (C&ED)
- 2ND RDG 7. RESOLUTION ACCEPTING TAX INCENTIVE REVIEW COUNCIL'S RECENT RECOMMENDATION REGARDING ENTERPRISE ZONE AND COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGMTS; EMERGENCY (C&ED)
- 2ND RDG 8. AUTHORIZE PARK DIRECTOR/PARK COMMISSION TO ENTER INTO CONTRACT FOR PURCHASE OF ONE (1) 2016 FORD F250 SRW 4X4 REGULAR CAB FR DOWNTOWN FORD IN AMT NOT TO EXCEED \$26,312.42; EMERGENCY (FIN)
- 2ND RDG 9. AUTHORIZE SAFETY DIR TO ENTER INTO 1-YR PROF SERVS CONTRACT RENEWAL WITH SHOTSPOTTER FLEX IN AMT NOT TO EXCEED \$135,000; EMERGENCY (FIN)
- 2ND RDG 10. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH ME/IBI GROUP FOR DESIGN OF RIDGEWOOD EAST WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJ; AMEND APPROP O#44/2016; EMERGENCY (\$35,997.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207043 RIDGEWOOD EAST WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJ - OTHER; \$16,675.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 207043 RIDGEWOOD EAST WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJ - OTHER) (FIN & PPCI)
- 68/2016 11. AUTHORIZE MAYOR OR SAFETY DIR TO ENTER INTO 3-YR PROF SERVS CONTRACT WITH PHYSIO-CONTROL, INC. IN AMT NOT TO EXCEED \$61,882.80 FOR CARDIAC MONITOR MAINTENANCE; EMERGENCY (FIRE DEPT) (FIN)

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

- 69/2016** 12. CREATE A DESIGNATED OUTDOOR REFRESHMENT AREA AND ESTABLISH REQUIREMENTS TO ENSURE PUB HEALTH AND SAF WITHIN SUCH AREA; EMERGENCY (DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT) (WARD 2) **PUB HRG 4/25/16 @ 7:30PM**
- 70/2016** 13. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS FIRST TEE OF CANTON NO. 2 ANNEXATION AREA CONTAINING APPROX 0.099 ACRES; ASSIGN TERRITORY TO WARD 6; ZONE TERRITORY AS OS (OPEN SPACE); EMERGENCY (WARD 6) **PUB HRG 4/25/16 @ 7:31PM**
- 71/2016** 14. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (P.A.L. MISSION) (WARD 4) **PUB HRG 4/25/16 @ 7:32PM**
- 72/2016** 15. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (HAMMER & NAILS) (WARD 1) **PUB HRG 4/25/16 @ 7:33PM**
- 73/2016** 16. AMEND APPROP O#44/2016; EMERGENCY (\$11,649.61 APPROP TRF FR 4502 104020 TRAFFIC SIGNAL - PERSONNEL TO 4502 104020 TRAFFIC SIGNAL - OTHER; \$4,980.03 APPROP TRF FR 4502 104040 TRAFFIC ENG/PARKING METER - PERSONNEL TO 4502 104040 TRAFFIC ENG/PARKING METER - OTHER)
- 74/2016** 17. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER #1 AND FINAL WITH ACLARA TECHNOLOGIES, LLC IN AMT NOT TO EXCEED \$142,539.04 FOR WATER METER AND METER TRANSMITTING UNIT REPLACEMENT PROG; EMERGENCY
- 75/2016** 18. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT & EXECUTE PROF SERV CONTRACT FOR CONSTRUCTION OVERSIGHT SERVS FOR AVONDALE AREA PHASE 1 WATER MAIN REPLACEMENT PROJ; RECEIVE GRANT FUNDS IN AMT OF \$475,000.00 & A ZERO PERCENT INT LOAN IN AMT OF \$475,000.00; AUTHORIZE AUDITOR TO ESTABLISH 5232 AVONDALE AREA PHASE 1 WATER MAIN REPLACEMENT PROJ FUND; AMEND APPROP O#44/2016; EMERGENCY (\$950,000.00 SUPP APPROP FR UNAPPROP BAL OF 5232 AVONDALE PHASE 1 WATER MAIN REPLACEMENT PROJ FUND TO 5232 207035 AVONDALE PHASE 1 WATER MAIN REPLACEMENT - OTHER; \$1,345,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207035 AVONDALE PHASE 1 WATER MAIN REPLACEMENT - OTHER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, May 2, 2016 in Council Caucus Room at 6:30 PM**

- 1) Judiciary Committee
- 2) Finance Committee
- 3) Annexation Committee
- 4) Parks & Recreation Committee

MISCELLANEOUS BUSINESS: Member West shared news that the Rotary Club presented the Mayor with a \$50,000.00 check at the Market Square Committee meeting. This amount is in addition to the \$50,000.00 check previously presented to Council, bringing the total for soft costs up to \$175,000.00 for the Market Square Project. Member Dougherty asked that we return to Announcement of Committee Meetings to make sure everything was right. He wanted to know why C&ED was meeting because they had already voted on the Ordinance in 1st Reading. Member Morris stated that Member Smith meant to say Parks & Recreation because he neglected to call it. Member Smuckler stated that the grass is growing and he's sure it will be taken care of administratively but he's concerned about legally dealing with the people who don't care in the community. He doesn't think enough is being done legally to take care of the situation. He'd rather the Law Dept. find out who owns the properties and make the owners be responsible for the cuttings because the City shouldn't be in the grass cutting business. Member Dougherty said he received an email that the grass cutting will start May 9th and wondered why we wait so long. Deputy Mayor Williams said that he would look into the issue and report back to everyone by morning. Law Director Martuccio stated that there has been a series of meetings going on between the Administration, Service Director and the Street Superintendent to get the mowing co-ordinated. He also said that increasing the registration fees will lead to more Code Enforcement Inspectors, who will service the witnesses, which will lead to more convictions. They recently had a couple of convictions. They're also meeting to talk about more aggressive collections to not let some people slip by that have in the past. Due to furloughs, they're down to 2 full-time prosecutors and are trying to work around those issues. Member Hawk thanked the Police Dept., Fire Dept, and 2 of the Street Dept. workers, Kirt Fach and Joel Souliere, and a gentleman from the Local Ironworkers 550 who rescued a woman from a house that was on fire.

ADJOURNMENT: 8:37 P.M.

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MAY 2, 2016 @ 7:30 PM