

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

CANTON CITY COUNCIL

JUNE 6, 2016

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Jason Scaglione, Ward 3 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#7 - O#15; O#13, O#14 & O#15 Adopted on 2nd Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Bruce Nordman, who is Vice President of the Vassar Park Neighborhood Association, spoke about Kings Landing on 17th and Market NW. He said it's been the #1 address for police and fire calls over the years. Last September it was sold and the new owners have evicted 29 residents so far. The problem with parking has been removed. He also said that the new owners have spent \$140,000 improving the electrical circuit boxes and are planning to spend \$190,000 on windows. The neighborhood association will meet with the owners on June 21st from 6:30 to 8:00 PM to discuss these improvements. He invited the Mayor, staff and Council to attend, and thanked everyone for their hard work. James Parker asked that everyone include Allen (President Schulman) in their prayers, and asked for a moment of silence to send Allen our healing energy for everything he does. He spoke about the Resolution approving the Downtown Master Plan, and how it calls for the removal of the Refuge of Hope and the homeless shelter downtown. He supports this measure because many of the residents of these shelters are sex offenders and criminals. They panhandle on the street corners and are a nuisance to society. While he understands they are down and out, the measures outlined in the Master Plan will prevent an open air asylum in the downtown area. He then spoke about the Spray Park. For two million dollars he said we got a lawn sprinkler. He feels that to accommodate the children, they should put up more stuff so they're not standing in line on a hot summer day to wait for a water sprinkler. He feels this undervalues them as persons. Louis Jacobson gave a report on Dialogues on Diversity. She said that on March 1st there was a performance at McKinley High School and Kent State Stark Campus where they met with Stark County leaders from all sectors to speak on the issues of diversity. Their goal is to make Stark County known as the place where diversity comes together. At a meeting on April 13th it was reported that they have a Facebook account called Diversity Speaks in Stark County which was put together by a young man named Kelly Williams. They will meet again on June 9th to put together strategies to prevent diversity incidents and how to react to any that happen. She invited everyone to attend and participate.

INFORMAL RESOLUTIONS:

41. COUNCIL-AS-A-WHOLE: COMMENDING JOE DIRUZZA FOR HIS DEDICATED SERVICE AS FINANCE DIRECTOR FOR CITY OF CANTON. - ADOPTED
42. COUNCIL-AS-A WHOLE: COMMENDING 2016 CANTON FIREFIGHTERS/PARAMEDICS OF THE YEAR, BRIAN GARBER AND DEMETRIUS BUTLER. - ADOPTED
43. PERSONNEL COMMITTEE: CONFIRMING APP'T OF SEAN S. DURKIN TO SYSTEMS PLANNING BD COMMENCING 6/6/16 THRU 5/30/18. - ADOPTED

COMMUNICATIONS:

218. AGENT FOR PETITIONER, SLIMAN: WITHDRAWAL OF PILOT ANNEXATION REQ FR STARK COUNTY COMMISSIONERS FILED 4/21/16. - RECEIVED & FILED
219. ANNEXATION CHAIRMAN WEST: REQ LEGISLATION AMENDING GEORGETOWN FORD CEDA AGMT WITH CANTON TWP TO INCLUDE 1400 GRACE AVE ANNEXATION. - ANNEXATION COMMITTEE
220. ANNEXATION CHAIRMAN WEST: REQ LEGISLATION AMENDING GEORGETOWN FORD CEDA AGMT WITH CANTON TWP TO INCLUDE TRUMP SCHOOL ANNEXATION. - ANNEXATION COMMITTEE
221. ANNEXATION CHAIRMAN WEST: REQ LEGISLATION AMENDING I-77/FAIRCREST CEDA AGMT WITH CANTON TWP TO INCLUDE PILOT ANNEXATION. - ANNEXATION COMMITTEE
222. ASST LAW DIRECTOR REESE: APPROVE AMENDMENT TO 1-77 FAIRCREST CEDA TO INCLUDE LAND OWNED BY PILOT TRAVEL CENTERS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
223. ASST LAW DIRECTOR REESE: APPROVE PUBLIC HRG DATE OF 8/9/16 AT 6:00 PM TO BE HELD AT JACKSON TOWNSHIP OFFICES TO DISCUSS JEDD CONTRACT AS REQUIRED BY ORC 715.75. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
224. ASST LAW DIRECTOR REESE: APPROVE PROPOSED AMENDMENTS TO BYLAWS OF BD OF DIRECTORS OF JACKSON/CANTON JOINT ECONOMIC DEV DISTRICT. -COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
225. ATTORNEY GREGORY A. BECK: REQ UTILITY EASEMENT ON BEHALF OF TOWERCO2013, LLC ACROSS PARCEL #9480001 ALONG THE WESTERN BOUNDARY OF RT 43 (MARKET AVE N) NEAR FIRST FRIENDS CHURCH. - JUDICIARY AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES

COMMUNICATIONS CONTINUED:

226. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERTIFICATE DATED 5/31/16. - RECEIVED & FILED
227. AUDITOR MALLONN: MTHLY REPORT BY FUND FOR 5/1/16 THRU 5/31/16. - RECEIVED & FILED
228. AUDITOR MALLONN: YRLY REPORT BY FUND FOR 1/1/16 THRU 5/31/16. - RECEIVED & FILED
229. COURT ADMIN KOCHERA: REQ \$94,000.00 SUPP APPROP FR UNAPPROP BAL OF #2423-701001 COURT CAPITAL/SPECIAL PROJECTS FUND TO OTHER #2423-701001 COURT CAPITAL/SPECIAL PROJECTS FUND FOR CONTINUED COURT OPERATION. - FINANCE COMMITTEE
230. COURT ADMIN KOCHERA: REQ \$29,607.53 APPROP TRF FR PERSONNEL #2797-701001 SPECIALIZED DOCKET GRANT FUND TO OTHER #2797-701001 SPECIALIZED DOCKET GRANT FUND FOR CONTINUED COURT OPERATION. - FINANCE COMMITTEE
231. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF D5 LIQ PERMIT FR MARK & FRANCES MILLS DBA FRIENDLY KORNER TAVERN, 1503 HARRISON AVE SW, 1ST FL, TO ACM SERENITY LLC DBA POOR HOUSE PUB, 1503 HARRISON AVE SW, 1ST FL. - RECEIVED & FILED
232. LIQUOR CONTROL DIVISION (OHIO): ORDER DENYING & REJECTING APPLICATION FOR NEW CLASS C-1 LIQ PERMIT FILED BY SHA B, INC. DBA B&B DRIVE THRU #3, 1225 RAFF RD SW. - RECEIVED & FILED
233. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C1, C2 LIQ PERMIT FOR J LALLY, INC., 3235 MAHONING RD NE. - RECEIVED & FILED
234. MAYOR BERNABEI: REQ AUTHORIZATION OF APPT OF ANGENITA DANIELS TO FAIR HOUSING COMMISSION FOR 5-YR TERM COMMENCING IMMEDIATELY THRU 5/31/21. - PERSONNEL COMMITTEE
235. MAYOR BERNABEI: DESIGNATION OF COMPREHENSIVE PLAN STEERING COMMITTEE. - RECEIVED & FILED
236. SAFETY DIRECTOR PERRY: REQ \$11,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJ FUND TO 4501 103501 CENTRAL COMMUNICATION - OTHER FOR REPAIR AND MAINTENANCE OF PORTABLE RADIOS FOR POLICE DEPT. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
237. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO NEGOTIATE AND ENTER INTO EASEMENT AGMTS WITH TIME WARNER CABLE, WINDSTREAM KDL, ZAYO BANDWIDTH, AND ALL COMMUNICATION AND/OR UTILITY PROVIDERS FOR PLACEMENT OF COMMUNICATION AND/OR UTILITY LINES ON, OVER AND/OR UNDER CITY OF CANTON PROPERTY LOCATED IN OR AROUND STADIUM PARK; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
238. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO AMEND PREVIOUS AND/OR ENTER INTO NEW AGMTS WITH AND SECURE RIGHT-OF-WAY FR AKRON METRO RELATED TO ENCROACHMENTS ONTO AKRON METRO PROPERTY BY WEST BRANCH TRAIL AND UPCOMING 12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJ, GP 1160; AUTHORIZE AUDITOR TO PAY \$2,918.76 MORAL OB TO AKRON METRO; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
239. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT MODIFICATION WITH GPD GROUP FOR MAHONING RD NE CORRIDOR PROJ, PHASE 2 (MIDDLEBRANCH TO GRACE), GP 1103, PIDs 90365 (ROADWAY) AND 91594 (UTILITIES), ENGINEERING DESIGN CONTRACT; REQ \$82,000.00 SUPP TRF FR 4501 202042 FULTON RD RESURFACING PROJ, GP 1184 TO 4501 202079 MAHONING RD NE CORRIDOR PROJ, GP 1103 - OTHER, AND \$57,845.00 SUPP TRF FR 4501 202001 ENGINEERING ADMIN TO 4501 202079 MAHONING RD NE CORRIDOR PROJ, GP 1103 - OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES

COMMUNICATIONS CONTINUED:

240. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR OVERBROOK AVE NW STORM SEWER REHAB PROJ, GP 1217; AUTHORIZE CITY TO ENTER INTO AGMTS FOR AND RECEIVE GRANT FUNDS IN AMT OF \$94,818.00 AND LOAN FUNDS IN AMT OF \$98,689.00 FR OH PUBLIC WORKS COMMISSION FOR THIS PROJ; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE 4580 OVERBROOK AVE NW STORM SEWER REHAB PROJ, GP 1217, FUND FOR PURPOSES OF TRACKING PROJ REVENUES AND EXPENDITURES; REQ \$193,507.00 SUPP APPROP FR UNAPPROP BAL OF 4580 OVERBROOK AVE NW STORM SEWER REHAB PROJ, GP 1217, FUND TO 4580 202046 OVERBROOK AVE NW STORM SEWER REHAB PROJ, GP 1217 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
241. SERVICE DIRECTOR BARTOS: REPORT INFORMING COUNCIL THAT CITY WILL NOT BE ENTERING INTO PROJ LABOR AGMT (PLA) FOR OVERBROOK AVE NW STORM SEWER REHAB PROJ, GP 1217. - RECEIVED & FILED
242. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCHASE OF (1) GMC SAVANA CARGO VAN; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR THESE PURCHASES IN ACCORDANCE WITH SEC 125.04 OF OH REVISED CODE (STATE COOP PURCHASING THRU DEPT OF ADMIN SRVS) OR SEC 5513.01 OF OH REVISED CODE (ODOT COOP PURCHASING) WHICH EXEMPTS SAID PURCHASES FR COMPETITIVE BIDDING REQUIREMENTS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (MARATHON PETROLEUM, WARD 5)
Referred to Judiciary Committee
- 1ST RDG 2. PROVIDE FOR RE-ISSUANCE OF NOTE BY CITY OF CANTON IN ANTICIPATION OF COLLECTION AND PAYMENT OF CITY INCOME TAXES, GENERAL PROP TAXES, AND MISC OTHER SOURCES TO CITY OF CANTON; DECLARING NECESSITY OF RE-ISSUANCE OF SAID NOTE PROCEEDS OF WHICH WILL BE USED TO PAY OFF EXISTING NOTE IN SAME PRINCIPAL AMT; PROVIDE FOR RE-AUTHORIZATION, AMENDMENT AND SUPP APPROP OF O#44/2016; EMERGENCY (\$2,000,000 ANTICIPATORY NOTE)
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZE ADOPTION OF 2013 DOWNTOWN MASTER PLAN FOR CITY OF CANTON; EMERGENCY
Referred to Downtown Development Committee
- 1ST RDG 4. AUTHORIZE APPROPRIATE OFFICIAL(S) TO PURCHASE AND/OR LEASE VARIOUS TITLED VEHICLES; TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THOSE PURCHASES DESCRIBED IN EXHIBIT A THAT EXCEED ANY APPLICABLE DOLLAR AMT THRESHOLD(S); AND TO ALTERNATIVELY ENTER INTO CONTRACT FOR PURCHASE PURSUANT TO STATE COOP PURCHASING AGMTS; AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO CONTRACT WITH CITY OF LOUISVILLE, OH FOR PURCHASE OF ONE USED LADDER TRUCK IN AMT NOT TO EXCEED \$130,000.00 IN ACCORDANCE WITH SEC 735.053 OF OH REVISED CODE; AMEND APPROP O#44/2016; EMERGENCY (\$314,427.48 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJ FUND TO 4501 102001 POLICE ADMIN - OTHER FOR \$87,000.00, TO 4501 103001 FIRE ADMIN - OTHER FOR \$56,318.48, TO 4501 202210 STREET MAINTENANCE - OTHER FOR \$46,000.00, TO 4501 204010 OTHER BUILDINGS - OTHER FOR \$29,000.00, TO 4501 301001 HEALTH ADMIN - OTHER FOR \$37,800.00, AND TO 4501 701001 JUDGES ADMIN - OTHER FOR \$58,309.00; \$126,181.52 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 103001 FIRE ADMIN - OTHER)
Referred to Public Property Capital Improvement & Finance Committees
- 1ST RDG 5. AMEND APPROP O#44/2016; EMERGENCY (\$580,314.15 SUPP APPROP FR UNAPPROP BAL OF 2113 MUNICIPAL ROAD FUND TO 2113 MUNICIPAL ROAD FUND - OTHER)
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT FOR PURCHASE OF REAL PROP FR STARK READY MIX & SUPPLY IN AMT NOT TO EXCEED \$182,500.00; AMEND APPROP O#44/2016; EMERGENCY (\$182,500.00 APPROP TRF FR 4501 202042 FULTON ROAD RESURFACING PROJ, GP1184 - OTHER TO 4501 202045 PIONEER TRAIL PROJ, GP1204 - OTHER)
Referred to Public Property Capital Improvement & Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD 2ND RDG O#7 - O#15; O#13, O#14 & O#15 ADOPTED ON 2ND RDG)**

- 2ND RDG 7. AMEND CHAP 127 OF ADMIN CODE OF CODIFIED ORDINANCES OF CITY OF CANTON; EMERGENCY (COLLECTION OF UNPAID DEBTS) (JUD)
- 2ND RDG 8. APPROVE STATEMENT OF SERVS TO BE PROVIDED TO PROP OWNER IN THE H.O.F. VILLAGE #1 ANNEXATION AREA, APPROX DATE SERVS WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY OF CANTON; EMERGENCY (ANNEX)
- 2ND RDG 9. APPROVE STATEMENT OF SERVS TO BE PROVIDED TO PROP OWNER IN THE FACTORY OF TERROR ANNEXATION AREA, APPROX DATE SERVS WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY OF CANTON; EMERGENCY (ANNEX)
- 2ND RDG 10. AUTHORIZE MAYOR OR SERV DIR TO AMEND GRANT AGMT BETWEEN OHIO DEVELOPMENT SERVS AGENCY AND CITY OF CANTON; EMERGENCY (PHASE II ENVIRONMENTAL ASSESSMENT @ "BROWNFIELD SITE", 2408 13TH ST NE) (FIN)
- 2ND RDG 11. APPROVE AND ACCEPT REPLATTING OF LOTS 13337 AND 13338; EMERGENCY (1500 BLOCK OF ALDEN SW, HABITAT FOR HUMANITY, WARD 5) (PS&T)
- 2ND RDG 12. APPROVE AND ACCEPT REPLATTING ALL OF LOTS 7641 AND 7642; EMERGENCY (600 BLOCK OF MARION SW, HABITAT FOR HUMANITY, WARD 4) (PS&T)
- 97/2016 13. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER #1 WITH MICHAEL BAKER, JR., INC. IN AMT NOT TO EXCEED \$149,745.84 FOR MAHONING ROAD NE CORRIDOR PROJECT, PHASE 1, PID 90361, GP 1103, CONSTRUCTION ENGINEERING SERVS, CONTRACT NO. 2014-68; EMERGENCY (FIN)
- 98/2016 14. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH BRICKER & ECKLER LLP FOR LEGAL SERVS RELATED TO WATER REC FACILITY CONSTRUCTION PROJ; AMEND APPROP O#44/2016; EMERGENCY (\$75,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206005 OPERATIONS AND MAINTENANCE - OTHER) (FIN)
- 99/2016 15. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE 30TH ST NW RESURFACING PROJ, G.P. 1238; AUTHORIZE CITY TO ENTER INTO AGMT(S) FOR AND RECEIVE GRANT FUNDS IN AMT OF \$735,000.00 AND A LOAN IN AMT OF \$765,000.00 FR OHIO PUBLIC WORKS COMMISSION; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE 4579 30TH ST NW RESURFACING PROJ G.P. 1238 FUND; AMEND APPROP O#44/2016; EMERGENCY (PPCI & FIN)

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

- 100/2016 16. ESTABLISH FAIR REUSE VALUE OF ONE PARCEL OF CITY OWNED PROP; AUTHORIZE SALE AND CONVEYANCE OF SAID PROP; EMERGENCY (PARCEL #02-39460, 2ND ST SW, TO LOCKSHIN ENTERPRISES)
- 101/2016 17. AMEND SEC 303.07, ADMINISTRATIVE AND STORAGE FEES FOR IMPOUNDED VEHICLES, OF CODIFIED ORDINANCES (RAISE FEE FR \$30 TO \$50 PER VEHICLE; INCLUDE \$50 FEE IN AUCTION PURCH PRICE)
- 102/2016 18. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO STATE COOP PURCHASING/PROFESSIONAL SRVS CONTRACT WITH FEDERAL SIGNAL FOR PURCHASE AND INSTALLATION OF (1) WARNING SIREN; EMERGENCY (WRF)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, June 20, 2016 in Council Caucus Room at 6:30 PM**

- 1) Finance Committee
- 2) Public Property Capital Improvement Committee
- 3) Downtown Development Committee
- 4) Judiciary Committee

MISCELLANEOUS BUSINESS: Member Smith thanked several individuals and businesses for their participation and support in opening the Spray Park. She said that the children were not standing in line, but were getting in collectively and had a great time. She thanked all Council Members for their vote. Member West thanked Member Smith for her endurance in the Spray Park process, and concurred with her that the kids enjoyed the water. He said it's not the size; sometimes it just takes a little water to make kids smile. He feels this is a start, not a finish, and that Member Smith and Council will build on that and develop other parks in the City.

ADJOURNMENT: 8:18 P.M.

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JUNE 20, 2016 @ 7:30 PM