

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

CANTON CITY COUNCIL

JUNE 20, 2016

**ROLL CALL:** Ten Council Members Present

**MOTION TO EXCUSE MEMBERS:** President Schulman, Member Morris and Member Mariol Absent

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

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

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>st</sup> Rdg O#5, O#6 and O#14 - O#17; 2<sup>nd</sup> Rdg O#18 - O#23; O#5, O#6, O#14, O#15, O#16 and O#17 Adopted on 1<sup>st</sup> Reading; O#19 and O#23 Adopted on 2<sup>nd</sup> Reading; O#24 Adopted as Amended)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Michael Gill spoke about the Chamber of Commerce's partnership with the City to develop Market Square. To date, \$175,000.00 has been raised for soft costs such as design and surveying. He presented the City with a check for \$25,000.00 from the Canton Regional Chamber of Commerce Foundation toward the soft costs. Jim Matthews, from the law firm of Baker, Dublikar, spoke on behalf of their client, Towerco, for a proposed easement for utility work that will be taking place on Market near the First Friends Church. Towerco requires utility services from the City and the best way to bring them in is to bring them across the west side of Market. It's a 20x10 foot easement which will be underground only, with no interference to any existing physical structures or existing draining. The property is owned by the City of Canton and is held for right of way purposes along Market Avenue. He asked that Council consider passing this proposal on 1<sup>st</sup> Reading.

**INFORMAL RESOLUTIONS:**

44. COUNCIL-AS-A-WHOLE: CONFIRMING APPT OF ANGENITA DANIELS TO FAIR HOUSING COMMISSION, COMMENCING 6/20/16 THRU 5/31/21. - ADOPTED
45. COUNCIL-AS-A-WHOLE: COMMENDING CITY EMPLOYEES KIRT FACH AND JOEL SOULIERE FOR THEIR BRAVERY. - ADOPTED
46. COUNCIL-AS-A-WHOLE: COMMENDING ANTHONY HARRIS FOR HIS BRAVERY. - ADOPTED

**COMMUNICATIONS:**

243. ANNEXATION CHAIRMAN WEST: REQ STATEMENT OF SERVICES FOR TAMSAL-FULTON-BLAKE ANNEXATION OF 3.300 ACRES LOCATED IN PLAIN TOWNSHIP. - ANNEXATION COMMITTEE
244. COURT ADMIN KOCHERA: REQ LEGISLATION AUTHORIZING MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT OF REHAB & CORRECTION (ODR&C) FOR RECEIPT OF FY 2017 COMMUNITY CORRECTIONS ACT (CCA) GRANT IN AMT OF \$170,601.00 FOR PERIOD COMMENCING 7/1/16 THROUGH 6/30/17 (PROBATION DEPT - 3 FULL-TIME POSITIONS). - FINANCE COMMITTEE
245. COURT ADMIN KOCHERA: REQ APPROP TRF TO JUDGES ADMIN, JAIL DIVERSION - MISDEMEANANT GRANT FUND #2767 (\$11,525.00 APPROP TRF FR PERSONNEL #2767-701001 JAIL DIVERSION/MISDEMEANANT GRANT FUND TO OTHER 2767-701001 JAIL DIVERSION/MISDEMEANANT GRANT FUND). - FINANCE COMMITTEE
246. FINANCE DIRECTOR CROUSE: REQ ADOPTION OF ALTERNATIVE TAX BUDGET FOR CITY OF CANTON FOR FISCAL YR ENDING 12/31/17. - FINANCE COMMITTEE
247. FINANCE DIRECTOR CROUSE: REQ TO AMEND APPROP O#44/2016 FOR SCOG IN AMT OF \$100,000.00 FOR PURCH OF DRUG AND ALCOHOL ANALYSIS EQUIP FOR STARK CO CRIME LAB (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 2412 CANTON DRUG FREE FUND TO 2412 102090 - OTHER). - FINANCE COMMITTEE
248. LAW DIRECTOR MARTUCCIO: REQ AUTHORIZATION TO PREPARE PROPOSED HOFV ZONING LEGISLATION AS SEPARATE AND NEW CHAPTER OF PART ELEVEN - PLANNING AND ZONING CODE OF CODIFIED ORD. - JUDICIARY COMMITTEE
249. MAYOR BERNABEI: REQ AUTHORIZATION OF REAPPT OF MESSRS. MICHAEL ABBOTT AND RON BERGER TO CONSTRUCTION BOARD FOR 3-YR TERMS COMMENCING 6/20/16 THROUGH 12/31/19. - PERSONNEL COMMITTEE

**COMMUNICATIONS CONTINUED:**

250. SERVICE DIRECTOR BARTOS: AMEND CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL TO ALLOW FOR UP TO 4 TOTAL EMPLOYEES IN ANY COMBINATION, WHICH ARE FOUND IN SERVICE DIRECTOR'S PUBLIC WORKS - WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIVISION (ENG. TECH - 4, ENG. TECH - 1, ENG. AIDE - 3); AMEND CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL BY REMOVING CLASSIFICATION OF DRAFTSPERSON FR SERVICE DIRECTOR'S PUBLIC WORKS - WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIVISION. - PERSONNEL COMMITTEE

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

- 1<sup>ST</sup> RDG 1. PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,000,000 FOR PURPOSE OF PAYING COSTS OF REVITALIZATION WITHIN THE CITY AND ADDRESSING PROP CONDITIONS DELETERIOUS TO PUBLIC HEALTH AND SAFETY THROUGH DEMOLITION OF DETERIORATING STRUCTURES AND IMPROVEMENT OF THOSE SITES, ENABLING USE OR REUSE OF LANDS WITHIN THE CITY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZE MAYOR OR SERV DIR TO AMEND GEORGETOWN RD COOP ECONOMIC DEVELOPMENT AGMT TO INCLUDE 1400 GRACE AVE ANNEXATION AREA; EMERGENCY  
Referred to Annexation Committee
- 1<sup>ST</sup> RDG 3. AUTHORIZE MAYOR OR SERV DIR TO AMEND GEORGETOWN RD COOP ECONOMIC DEVELOPMENT AGMT TO INCLUDE TRUMP SCHOOL ANNEXATION AREA; EMERGENCY  
Referred to Annexation Committee
- 1<sup>ST</sup> RDG 4. AUTHORIZE MAYOR OR SERV DIR TO AMEND 1-77 FAIRCREST COOP ECONOMIC DEVELOPMENT AGMT TO INCLUDE PILOT ANNEXATION AREA; EMERGENCY  
Referred to Annexation Committee
- (COUNCIL RECESSED AT 7:55 P.M. FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE NOS. 5 AND 6; RECONVENED AT 7:57 P.M.)**
- 103/2016 5. APPROVE PUBLIC HRG DATE TO SEEK COMMENTS AND SUGGESTIONS OF MODIFICATIONS FOR JOINT ECONOMIC DEVELOPMENT DISTRICT AGMT WITH JACKSON TOWNSHIP; EMERGENCY (STOLLE MACHINERY INC)  
Referred to Community & Economic Development Committee
- 104/2016 6. AUTHORIZE AMENDMENT TO BYLAWS OF BOARD OF DIRECTORS OF JACKSON/CANTON JOINT ECONOMIC DEVELOPMENT DISTRICT; EMERGENCY  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 7. AUTHORIZE MAYOR OR SERV DIR TO NEGOTIATE AND ENTER INTO EASEMENT AGMT WITH TOWERCO 2013, LLC OR A PUBLIC UTILITY COMPANY FOR UTILITY EASEMENT ACROSS PARCEL NO. 9480001; EMERGENCY  
Referred to Judiciary and Environment and Public Utilities Committees
- 1<sup>ST</sup> RDG 8. AMEND O#44/2016; EMERGENCY (\$94,000.00 SUPP APPROP FR UNAPPROP BAL OF 2423-701001 COURT CAPITAL/SPECIAL PROJECTS FUND TO 2423-701001 COURT CAPITAL/SPECIAL PROJECTS FUND - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 9. AUTHORIZE MAYOR 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 PROP LOCATED IN OR AROUND STADIUM PARK; EMERGENCY  
Referred to Environmental & Public Utilities Committee
- 1<sup>ST</sup> RDG 10. AUTHORIZE MAYOR OR SERV DIR TO AMEND PREVIOUS AND/OR ENTER INTO NEW AGMT(S) WITH AND SECURE RIGHT-OF-WAY FR MRTA RELATED TO ENCROACHMENTS ONTO MRTA PROP BY WEST BRANCH TRAIL AND UPCOMING 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETScape PROJECT, GP 1160; AUTHORIZE CITY AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$2,918.76 TO MRTA; EMERGENCY (AKRON METRO)  
Referred to Public Property Capital Improvement and Finance Committees
- 1<sup>ST</sup> RDG 11. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT MOD 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; AMEND APPROP O#44/2016; EMERGENCY (\$82,000.00 APPROP TRF FR 4501 202042 FULTON ROAD RESURFACING PROJECT, GP 1184 TO 4501 202079 MAHONING ROAD NE CORRIDOR PROJECT, GP 1103 - OTHER; \$57,845.00 APPROP TRF FR 4501 202001 ENGINEERING ADMINISTRATION TO 4501 202079 MAHONING ROAD NE CORRIDOR PROJECT, GP 1103 - OTHER)  
Referred to Public Property Capital Improvement & Finance Committees

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

1<sup>ST</sup> RDG 12. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT AND ENTER INTO AGMT(S) FOR AND RECEIVE GRANT FUNDS IN AMT OF \$94,818.00 AND LOAN FUNDS IN AMT OF \$98,689.00 FR OHIO PUBLIC WORKS COMMISSION FOR OVERBROOK AVENUE NW STORM SEWER REHAB PROJ, GP 1217; AUTHORIZE AUDITOR TO ESTABLISH 4580 OVERBROOK AVENUE NW STORM SEWER REHAB PROJ, GP 1217, FUND; AMEND APPROP O#44/2016; EMERGENCY (\$193,507.00 FR UNAPPROP BAL OF 4580 OVERBROOK AVENUE NW STORM SEWER REHABILITATION PROJECT, GP 1217, FUND TO 4580 202046 OVERBROOK AVENUE NW STORM SEWER REHABILITATION PROJECT, GP1217 - OTHER)  
Referred to Public Property Capital Improvement and Finance Committees

1<sup>ST</sup> RDG 13. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCHASE OF ONE (1) FORD F-250 PICKUP TRUCK AND ONE (1) GMC SAVANA CARGO VAN; OR TO ALTERNATIVELY PURCHASE VEHICLES PURSUANT TO STATE COOP PURCH AGMTS; EMERGENCY  
Referred to Public Property Capital Improvement and Finance Committees

***(COUNCIL RECESSED AT 7:57 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE NOS. 14, 15, AND 16; RECONVENED AT 8:05 P.M.)***

105/2016 14. PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,000,000 FOR PURPOSE OF PAYING COSTS OF REVITALIZATION WITHIN THE CITY AND ADDRESSING PROP CONDITIONS DELETERIOUS TO PUBLIC HEALTH AND SAFETY THROUGH DEMOLITION OF DETERIORATING STRUCTURES AND IMPROVEMENT OF THOSE SITES, ENABLING USE OR REUSE OF LANDS WITHIN THE CITY  
Referred to Finance Committee

106/2016 15. AMEND APPROP O#44/2016; EMERGENCY (\$1,000,000.00 SUPP APPROP FR UNAPPROP BAL OF 1152 NIP ACQUISITION DEMO DEBT FUND TO 1152 506001 - OTHER)  
Referred to Finance Committee

107/2016 16. AMEND APPROP O#44/2016; EMERGENCY (\$29,607.53 APPROP TRF FR 2797-701001 SPECIALIZED DOCKET GRANT FUND - PERSONNEL TO 2797-701001 SPECIALIZED DOCKET GRANT FUND - OTHER)  
Referred to Finance Committee

***(COUNCIL RECESSED AT 8:05 P.M. FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE NO. 17; RECONVENED AT 8:06 P.M.)***

108/2016 17. AMEND APPROP O#44/2016; EMERGENCY (\$11,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 103501 CENTRAL COMMUNICATION - OTHER)  
Referred to Public Property Capital Improvement Committee

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

***(SUSPENDED RULE 22A TO ADD 2<sup>ND</sup> RDG O#18 - O#23; O#19 AND O#23 ADOPTED ON 2<sup>ND</sup> RDG)***

2<sup>ND</sup> RDG 18. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (MARATHON PETROLEUM, WARD 5) (JUD)

109/2016 19. 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 (\$2,000,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 801001 ANTICIPATORY NOTE - OTHER) (FIN)

2<sup>ND</sup> RDG 20. AUTHORIZE ADOPTION OF 2013 DOWNTOWN MASTER PLAN FOR CITY OF CANTON; EMERGENCY (DDEV)

2<sup>ND</sup> RDG 21. 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) (FIN)

2<sup>ND</sup> RDG 22. 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) (PPCI & FIN)

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

- 110/2016** 23. 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) (PPCI & FIN)

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

- 111/2016** 24. AMEND CHAP 127 OF ADMIN CODE OF CODIFIED ORDINANCES OF CITY OF CANTON; EMERGENCY (COLLECTION OF UNPAID DEBTS)
- 112/2016** 25. APPROVE STATEMENT OF SERVS TO BE PROVIDED TO PROP OWNER INI 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
- 113/2016** 26. 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
- 114/2016** 27. 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 13<sup>TH</sup> ST NE)
- 115/2016** 28. APPROVE AND ACCEPT REPLATTING OF LOTS 13337 AND 13338; EMERGENCY (1500 BLOCK OF ALDEN SW, HABITAT FOR HUMANITY, WARD 5)
- 116/2016** 29. APPROVE AND ACCEPT REPLATTING ALL OF LOTS 7641 AND 7642; EMERGENCY (600 BLOCK OF MARION SW, HABITAT FOR HUMANITY, WARD 4)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, July 11, 2016 in Council Caucus Room at 6:30 PM**

- 1) Finance Committee
- 2) Public Property Capital Improvement Committee
- 3) Judiciary Committee
- 4) Annexation Committee
- 5) Environmental & Public Utilities Committee

**MISCELLANEOUS BUSINESS:** Member Hawk commended the Fire Department and Police Department for the speed in which they responded to the fire in his ward and believes they did a fine job.

**ADJOURNMENT:** 8:27 P.M.

**NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JULY 11, 2016 @ 7:30 PM**