

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

CANTON CITY COUNCIL

JULY 11, 2016

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member West Absent

INVOCATION: David Dougherty, Ward 6 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#8; 2nd Rdg O#9 - O#19; O#8, Adopted on 1st Reading; O#14, O#15, O#16, O#17, O#18 Adopted on 2nd Reading; O#19 Defeated on 2nd Rdg; O#20 Reconsidered and Adopted as Amended)

PUBLIC HEARINGS:

7:30 PM AN ORDINANCE AMENDING O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (17.582 ACRES OF VACANT LAND SOUTH OF ST RT 30 AND NORTH OF 21ST ST SW BETWEEN BROOKS AVE SW AND NORFOLK SOUTHERN RAILROAD, FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PI-2 (PLANNED HEAVY INDUSTRIAL) FOR MARATHON PETROLEUM CO IN WARD 5, PLANNING COMMISSION RECOMMENDED APPROVAL) (ONE SPEAKER) **SEE O#123/2016**

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): John Alge announced that Grace United Church of Christ will be holding a prayer vigil and blessing for first responders Sunday, July 17th at 4:00 P.M. The address is 2300 Cleveland Ave N.W. He invited everyone to attend and offer prayer, and thanks everyone for their fine work for the city. Pete DiGiacomo spoke about the purchase of property for the salt dome and to run a hike and bike trail through it. He feels it would be ridiculous for a bike trail, especially for the price. He encouraged the city to find a better location at a lesser price. Also, the hike/bike trail where it comes down to 27th Street and goes into that property he feels is a really bad plan. He advised Council not to do it. Frank Kemp spoke about land that he shares with the city on the east side of his property. He's been mowing this land for nine years. He attempted to contact the Street Department, and after three weeks spoke to someone who said they would put him on the list for mowing. He spoke with the Street Department today and they told him he wasn't on the list, and they expected him to take care of it. He feels it's not his responsibility because it's not his land. The Park wants access through it, but he says there is no right of way. He would like to either have the land vacated or acquire it and pay the taxes. If not, he is asking that the city either mow the grass or give him a good excuse why not. Patricia Kirk, President of Downtown Central Neighborhood Association, spoke about the future of the Kresge lot since they have taken care of the walls and landscaping by hiring local businesses. She still sees the elderly and young enjoying it as a park. She reminds the city that Canton has qualified for two years in a row as a Tree City. She announced that the Association has meetings every second Tuesday of the month at the Engineering Office that are open to the public. Malone College is also looking into becoming a tree campus. Mark Turkeltaub spoke in opposition to the cell tower. He is concerned about the flooding issue on North Market which he fears will be exacerbated by the construction of the cell phone tower on First Friends Church property. He lives directly across the street from where the tower will be built. He is certain that if we get a torrential rainstorm it will flood across Market Avenue and enter their living area. Close to \$80,000.00 has been spent in repairs and restorations for new drainage. He is asking Council to do everything possible to prevent construction of the tower, as well as to address the drainage situation on North Market. Pat Varn spoke in opposition to the cell tower. She has lived in Montabella since September of 2008. She circulated pictures of her home to the Council Members. She stated that when she looks out her front door the view is beautiful. According to HG TV, the view is the most important aspect of purchasing or selling a home. Another study indicated that cell towers would negatively impact surrounding homes. She mentioned seven cell tower sites that she photographed. None of these were constructed near a youth sports facility or preserved wet lands. She circulated photographs of cell towers that affect the view of the homes in the area. As President of Montabella Estates Homeowner Association, a registered vote and taxpayer, and a Montabella resident, she encouraged Council to deny the easement to Towerco. She suggested that Verizon provide service utilizing the tower at 55th and Market Avenue which is already utilized by AT&T. Ray Haas spoke in opposition to the cell tower. He is part of the homeowners association, and they feel that the cell tower will have a negative affect for the over 100 residents of Montabella. Mitchell Wagner spoke in opposition to the cell tower. He and his family have lived in their home since a year ago January. One of the selling points of the home was the beautiful view of the back yard and adjoining wetlands. He and his family sit on their deck often enjoying the view and the wildlife. He served in the Army as a commander, and while overseas one of his dreams was to purchase a home in a nice neighborhood with a good back yard. Building the cell phone tower will tarnish what he calls the American dream, decrease the value of his home, and possibly create unknown health risks. In addition, the tower could collapse causing much damage. He and his family have Verizon service and experience no problems. He feels he must fight for his American dream. Mary Ann Gordon spoke in opposition to the cell tower. Her home was built eleven years ago in Montabella. She and her husband are very proud of where they live. They have planted 13 trees, and built a deck and a screened in porch on the back. They sit on their back porch, watch TV and enjoy the beautiful view, but if a cell tower is built, it won't be pretty anymore. She gave some examples of the types of people that live in their neighborhood, including police officers, fire personnel, teachers, professors, and medical personnel. She feels it is very important to keep the neighborhood as it is because they love their country, they love their city, but they will not love a cell tower that will obstruct their view. Joshua Guilliams spoke in opposition to the cell tower. His house butts up against the wetlands. He's been a resident of Montabella for thirteen years since he built his home. Studies have been done in Europe showing that a major cause of cancer is from living within the first 1300 feet of the tower. The residents have built a tree house for the kids in the wetlands, but the cell tower will butt right next to this area where children play. With regard to the flooding, he stated that the city engineer presented all the issues regarding the flooding at the North Canton meeting. First Friends does not want this deal, but Towerco is forcing their hand, as well as North Canton. He feels if North Canton wants it, it should be on their land. He stated that he will leave Montabella if this is approved. He strongly encouraged Council not to approve the tower, and to stand up to big business. Brandon Blood spoke in opposition to the cell tower. He is a doctor who resides in Montabella. He mentioned a study that was done in Germany that says if someone lives within a 400 meter span of a cell phone tower, the cancer risks increase by 300 times. For those reasons he is against the cell tower. Dustin Hennessy spoke in opposition to the cell tower. He has lived in the neighborhood for about eleven years. He and his wife were one of the first families to build in that area. His concerns are about property value. In June 2014 the National Institute for Science, Law and Public Policy conducted a survey which showed that 94% of residents reported that cell towers would negatively affect their decision to move into that neighborhood. He is concerned about the vacant homes which are on the market far too long. He asked that Council consider property value, and those residents who decide to move out may not be able to sell their homes very quickly. Deborah Watters spoke in opposition to the cell tower. Her main concern is for the health of her son, daughter and grandchildren. Her second concern is property value for her home and her daughter's home. She is opposed to the cell tower for all reasons given, but especially because of health concerns and property value. Asif Iqbal spoke in opposition to the cell tower. Along with the health issues and decreased property values, he feels that the major argument is between life versus commerce. He asked, is commerce more important than life? He also asked what is life without good health? And what is life without the liberty to be able to own a piece of property that does not depreciate for man made reasons? He is a Verizon

customer with no service interruptions at all. To come to a decision, the questions he posed must be answered. Jim Mathews spoke in support of the cell tower. He is an attorney with Baker, Dublikar who represents the applicants, Towerco. He feels that many of the issues of concern from those in opposition are matters that have already been aired before North Canton officials. He stated that the location of the tower is actually within the jurisdiction of North Canton, so the permit process went before the North Canton Planning Commission and Zoning Board of Appeals. There was an appeal by the homeowners association to the Zoning Board of Appeals challenging the permit. The issues such as health concerns and property value concerns are not justifiable because those issues are pre-empted under the Federal Telecommunications Act. His client has a lawfully issued permit and plans to proceed as soon as possible with the tower project. They are seeking an easement across a sliver of property that Canton owns that extends on the west side of Market. It's property that's held only for highway purposes. This would be a twenty foot easement for utility installation only. There will be no disturbance of the surface. The underground utilities will be installed through a boring procedure. As far as the drainage issue, he feels those concerns need to be addressed in some other fashion and have no bearing on the tower project. Mr. Mathews examined Mr. Barnes, the Canton city engineer who appeared at the North Canton hearing, and he testified that he made no calculation of any problem that would be encountered with the installation of the tower as far as run off or drainage concerns to the south. He said that Mr. Barnes also indicated he had no concerns about the development of the cell tower. Canton city engineers and his client's representatives have communicated to place this easement in a reasonable location that would not interfere with any possible detention basin expansion in the south. He stated that per statutory law the general overlying or underlying public policy expressed by the General Assembly is to expand access to utilities and economic development by allowing utility easements within public right of ways. State law is clear that a municipal corporation shall provide public utilities or cable operators with open, comparable, and competitively neutral access to its public ways. He feels the law very clearly allows his client this access.

INFORMAL RESOLUTIONS:

47. COUNCIL-AS-A-WHOLE: COMMENDING DAVID PEFFER FOR HIS TIME & TALENT IN ENHANCING THE BEAUTY OF THE RAY DENCZAK CANTON CITY COUNCIL CHAMBERS. - ADOPTED
48. COUNCIL-AS-A-WHOLE: COMMENDING PAT AND BOB HARPER FOR THEIR LEADERSHIP IN PRESERVING ANNUAL INDEPENDENCE DAY FIREWORKS DISPLAY. - ADOPTED
49. COUNCIL-AT-LG MBR HARMON: REQUESTING CANTON MUNICIPAL COURT TO ESTABLISH PARKING VIOLATIONS BUREAU TO HANDLE PARKING INFRACTIONS OCCURRING WITHIN CITY OF CANTON PURSUANT TO ORC SEC 4521.04. - ADOPTED
50. PERSONNEL COMMITTEE: CONFIRMING RE-APPT OF MICHAEL ABBOTT TO CANTON CONSTRUCTION BOARD COMMENCING 7/11/16 TO 12/31/19. - ADOPTED
51. PERSONNEL COMMITTEE: CONFIRMING RE-APPT OF RON BERGER TO CANTON CONSTRUCTION BOARD COMMENCING 7/11/16 TO 12/31/19. - ADOPTED

COMMUNICATIONS:

251. AUDITOR MALLONN: MTHLY REPORT BY FUND FOR 6/1/16 THRU 6/30/16. - RECEIVED & FILED
252. AUDITOR MALLONN: YRLY REPORT BY FUND FOR 1/1/16 THRU 6/30/16. - RECEIVED & FILED
253. AUDITOR MALLONN: REQ \$17,200,000.00 SUPP APPROP FR UNAPPROP BAL OF 7502 801001 PAYROLL CLEARING FUND TO OTHER - 7502 801001 PAYROLL CLEARING FUND FOR CONTINUED OPERATION OF, ACCOUNTING FOR & FUNDING INTERNAL PAYROLL CLEARING ACCT. - FINANCE AND PERSONNEL COMMITTEES
254. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERTIFICATE DATED 7/6/16. - RECEIVED & FILED
255. COMM DEV DIRECTOR MILLER: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS WITH HABITAT FOR HUMANITY EAST CENTRAL OH TO PROVIDE GRANT UTILIZING HOME FUNDS IN AMT NOT TO EXCEED \$250,000.00 TO BUILD 6 SINGLE-FAMILY HOMES WITH BASEMENTS, 3 BEDROOMS, 1 BATHROOM & SINGLE CAR GARAGE; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH HAMMER & NAILS TO PROVIDE GRANT UTILIZING CDBG FUNDS IN AMT NOT TO EXCEED \$150,000.00 FOR REHAB OF SINGLE-FAMILY HOMES IN NRSA AREA FOR LOW TO MODERATE INCOME FAMILIES. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

COMMUNICATIONS CONTINUED:

256. DEPUTY MAYOR WILLIAMS: RATIFY ACTIONS PURSUANT TO SEC 105.04 OF CANTON CODIFIED ORDINANCES FOR USE OF EMERGENCY CONTRACTUAL PROCEDURES BY ALLOWING FOR UP TO \$70,000.00 TO BE SPENT ON HOME REHAB PROGRAM PROJ AT 1222 MARYLAND AVE SW, & ALLOWING FOR UP TO \$71,500.00 TO BE SPENT ON HOME REHAB PROGRAM PROJ AT 1312 COTTAGE PL NW; AUTHORIZE AUDITOR TO PAY MORAL OB TO D&H WAY CONSTRUCTION IN AMT NOT TO EXCEED \$5,000.00 FOR WORK AT 1222 MARYLAND AVE SW; AUTHORIZE AUDITOR TO PAY MORAL OB TO D&H WAY CONSTRUCTION IN AMT NOT TO EXCEED \$6,500.00 FOR WORK AT 1312 COTTAGE PL NW; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
257. FINANCE DIRECTOR CROUSE: REQ \$900,000.00 SUPP APPROP FR UNAPPROP BAL OF 1152 NIP ACQUISITION DEMO DEBT FUND TO 1152 506001 OTHER FOR CONTINUED OPERATION & COSTS OF REVITALIZATION THRU DEMO OF DETERIORATING STRUCTURES. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
258. LAW DIRECTOR MARTUCCIO: REQ FINAL AUTHORITY TO PREPARE ORDINANCE SETTLING WRONGFUL DEATH/PERSONAL INJURY CASE OF BURLINGAME V. CITY OF CANTON FOR \$310,000.00. - FINANCE AND JUDICIARY COMMITTEES
259. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HEARING FOR MARK A. MILLS DBA MILLS TAVERN, 1649 HARRISON AVE SW, LIQ PERMIT TRANSFER SET FOR 7/25/16 @ 9:00 AM @ STARK COUNTY DEPT OF JOB & FAMILY SRVS, 221 3RD ST SE. - RECEIVED & FILED
260. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF D2, D2X, D3 LIQ PERMIT FR LOU A. SMITH TO IDAS CAFÉ LLC, 1715 BRYAN AVE, SOUTHEND BLDG. - RECEIVED & FILED
261. MAYOR BERNABEI: ADVISE OF APPT'S TO CANTON COMMUNITY IMPROVEMENT CORP (CCIC) TO FILL UNEXPIRED TERMS COMMENCING 1/1/16 TO 12/31/16. - RECEIVED & FILED
262. MAYOR BERNABEI: AUTHORIZE APPT OF BRENDA TURNER TO FAIR HOUSING COMMISSION FOR 5-YR TERM COMMENCING 7/25/16 TO 6/30/21. - PERSONNEL COMMITTEE
263. MAYOR BERNABEI: ADVISE OF RE-APPT OF DIANE WISSUCHEK AND APPT OF REV CHARLES PRINCE TO MAYOR'S COMMUNITY RELATIONS COMMISSION FOR 2-YR TERMS COMMENCING 7/25/16 TO 6/30/18. - RECEIVED & FILED
264. MAYOR BERNABEI: AUTHORIZE APPT OF JOHN J. LUCAS, JR. TO ZONING BOARD OF APPEALS FOR UNEXPIRED TERM COMMENCING 1/1/16 TO 12/31/18. - PERSONNEL COMMITTEE
265. PARK DIRECTOR GORDON: AUTHORIZE MAYOR, SERV DIR AND/OR PARKS & REC DIR TO ADVERTISE, RECEIVE BIDS, AWARD & EXECUTE CONSTRUCTION CONTRACT FOR JOHN BARKER SPRING HOUSE REDEVELOPMENT PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE AND PARKS & RECREATION COMMITTEES
266. SERVICE DIRECTOR BARTOS: RATIFY ACTIONS PURSUANT TO SEC 105.04 OF CANTON CODIFIED ORDINANCES FOR USE OF EMERGENCY CONTRACTUAL PROCEDURES BY MAKING \$45,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 DISTRIBUTION MAINTENANCE - OTHER; AUTHORIZE AUDITOR TO PAY MORAL OB TO CENTRAL ALLIED ENTERPRISES FOR AMT NOT TO EXCEED \$45,000.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND PART THREE, TRAFFIC CODE, OF CODIFIED ORDINANCES OF CITY OF CANTON BY AMENDMENT OF CHAPTER 361, PARKING INFRACTIONS
Referred to Judiciary Committee
- 1ST RDG 2. APPROVE STATEMENT OF SRVS TO BE PROVIDED TO PROP OWNER IN TAMSAL-FULTON-BLAKE ANNEXATION AREA, THE APPROX DATE SRVS WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USED UPON ITS BEING ANNEXED TO CITY OF CANTON; EMERGENCY
Referred to Annexation Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 3. AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO DEPT OF REHAB & CORRECTION FOR RECEIPT OF FY 2017 COMMUNITY CORRECTIONS ACT GRANT IN AMT NOT TO EXCEED \$170,601.00; EMERGENCY
Referred to Finance Committee
- 1ST RDG 4. AMEND APPROP O#44/2016; EMERGENCY (\$11,525.00 APPROP TRF FR 2767 701001 JAIL DIVERSION/MISDEMEANANT GRANT FUND - PERSONNEL TO 2767 701001 JAIL DIVERSION/MISDEMEANANT GRANT FUND - OTHER)
Referred to Finance Committee
- 1ST RDG 5. ADOPT CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING 12/31/17; EMERGENCY
Referred to Finance Committee
- 1ST RDG 6. AMEND APPROP O#44/2016; EMERGENCY (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 2412 CANTON DRUG FREE FUND TO 2412 102090 DRUG FREE FUND - OTHER)
Referred to Finance Committee
- 1ST RDG 7. AMEND PART ELEVEN, PLANNING AND ZONING CODE, OF CODIFIED ORDINANCES OF CITY OF CANTON BY ADOPTION OF NEW CHAPTER 1158, HALL OF FAME VILLAGE DISTRICT, EMERGENCY
Referred to Judiciary Committee

(COUNCIL RECESSED AT 8:36 P.M. FOR THE FINANCE AND JUDICIARY COMMITTEES TO DISCUSS ORDINANCE NO. 8; RECONVENED AT 8:39 P.M.)

- 117/2016 8. AUTHORIZE SETTLEMENT OF BURLINGAME V. CITY CANTON; EMERGENCY (\$310,000.00 TOTAL, \$125,000.00 TO BE PAID FR CITY FUNDS TO SATISFY INSURANCE DEDUCTIBLE & \$185,000.00 FR INSURANCE CARRIER)
Referred to Finance & Judiciary Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD 2ND RDG O#9 - O#19; O#14, O#15, O#16, O#17, & O#18 ADOPTED ON 2ND RDG; O#19 DEFEATED ON 2ND RDG)

- 2ND RDG 9. AUTHORIZE MAYOR OR SERV DIR TO AMEND GEORGETOWN RD COOP ECONOMIC DEVELOPMENT AGMT TO INCLUDE 1400 GRACE AVE ANNEXATION AREA; EMERGENCY (ANNEX)
- 2ND RDG 10. AUTHORIZE MAYOR OR SERV DIR TO AMEND GEORGETOWN RD COOP ECONOMIC DEVELOPMENT AGMT TO INCLUDE TRUMP SCHOOL ANNEXATION AREA; EMERGENCY (ANNEX)
- 2ND RDG 11. AUTHORIZE MAYOR OR SERV DIR TO AMEND I-77 FAIRCREST COOP ECONOMIC DEVELOPMENT AGMT TO INCLUDE PILOT ANNEXATION AREA; EMERGENCY (ANNEX)
- 2ND RDG 12. 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 12TH 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) (PPCI & FIN)
- 2ND 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 (PPCI & FIN)
- 118/2016 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 (FIN)
- 119/2016 15. 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) (FIN)
- 120/2016 16. 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 (EPU)
- 121/2016 17. 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) (PPCI & FIN)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 122/2016** 18. 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) (PPCI & FIN)

(COUNCIL RECESSED AT 8:52 P.M. FOR THE JUDICIARY AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES TO DISCUSS ORDINANCE NO. 19; RECONVENED AT 9:03 P.M.)

DEFEATED

- _____ 19. 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 (JUD & EPU)

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

- 104/2016** 20. AUTHORIZE AMENDMENT TO BYLAWS OF BOARD OF DIRECTORS OF JACKSON/CANTON JOINT ECONOMIC DEVELOPMENT DISTRICT; EMERGENCY
- 123/2016** 21. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (MARATHON PETROLEUM, WARD 5)
- 124/2016** 22. AUTHORIZE ADOPTION OF 2013 DOWNTOWN MASTER PLAN FOR CITY OF CANTON; EMERGENCY
- 125/2016** 23. 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)

POSTPONED UNTIL 7/25/16

- _____ 24. 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)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, July 25, 2016 in Council Caucus Room at 6:30 PM**

- 1) Finance Committee
- 2) Annexation Committee
- 3) Personal Committee
- 4) Judiciary Committee

MISCELLANEOUS BUSINESS: Member Smith commented on the prior Council meeting, and the decision on how to suspend Council rules. She does not feel it should be decided once the meeting begins. She feels it should be decided previously so that the audience and the Council Members will know what is going on. She wanted to clarify that for the Council Members who said that the meeting was messed up because of her. She feels the rules should be suspended just as Member Morris did this evening. President Schulman added that while his job looks easy, it is not that easy. He said he has a great staff, but things move quickly and you're trying to follow the rules, and many times it's difficult. He appreciates everything Member Smith is saying. Member Fisher told Member Smith she did a great job last meeting. Member Morris thanked Member Smith for covering for them.

ADJOURNMENT: 9:44 P.M.

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JULY 25, 2016 @ 7:30 PM