

FINAL
A G E N D A
7:30 PM

AUGUST 22, 2016

CANTON CITY COUNCIL

ROLL CALL: Ten Members Present

MOTION TO EXCUSE MEMBERS: Member Morris and Member Mack absent

INVOCATION: Chris Smith, Ward 4 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#6 - O#8; 2nd Rdg O#9 - O#14; O#6 - O#8 Adopted on 1st Rdg; O#9 Adopted on 2nd Rdg; O#16 Adopted as Amended)

PUBLIC HEARINGS:

7:30 PM AN ORDINANCE AMENDING 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 (WARD 7, PLANNING COMMISSION RECOMMENDED APPROVAL) (NO SPEAKERS)

O#145/2016

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): None

INFORMAL RESOLUTIONS:

56. COUNCIL-AS-A-WHOLE: COMMENDING KEVIN FISHER FOR HIS YEARS OF DEDICATED SERVICE AS CANTON CITY COUNCIL MEMBER. - ADOPTED

COMMUNICATIONS:

298. AGENT FOR PETITIONER, SLIMAN: WITHDRAWAL OF 1400 GRACE AVENUE ANNEXATION REQ FR STARK CO COMM SUBMITTED AS EXPEDITED TYPE 2 ON 7-27-16. - RECEIVED & FILED
299. AGENT FOR PETITIONER, SLIMAN: COPY OF ANNEXATION PETITION DOCS FILED WITH STARK CO. COMMISSIONERS FOR THE HOF VILLAGE #1 ANNEXATION. - RECEIVED & FILED
300. AUDITOR MALLONN: AUTHORIZE AUDITOR TO ENTER INTO PROF SERVS/SOLE SOURCE PROCUREMENT CONTACT WITH KRONOS INC FOR UPGRADE AND MAINT OF CITY'S TIME KEEPING SYSTEM AND FOR PURCHASE OF UPDATED TIME CLOCKS; MAKE APPROP TRF (\$55,000.00 APPROP TRF FR 1001 504010 INFORMATION TECHNOLOGY MANAGER - OTHER TO 4501 801001 AUDITOR - ADMINISTRATION - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
301. COURT ADMIN. KOCHERA: REQ APPROP TRF TO JUDGES ADMIN, GEN REV FUND #1001 FOR CONTINUED PROPER COURT OPERATION (\$4,000.00 APPROP TRF FR OTHER - #1001.701001.70514 JUDGES ADMINISTRATION TO PERSONNEL - #1001-701001.61128 JUDGES ADMINISTRATION). - FINANCE COMMITTEE
302. FINANCE DIRECTOR CROUSE: REQ LEGISLATION AMENDING APPROP O#44/2016 FOR STREET LIGHTING (\$70,000.00 FR UNAPPROP BAL 4501 CAPITAL PROJ FUND TO 4501 202210 CAPITAL PROJ FUND - OTHER). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
303. HEALTH COMMISSIONER ADAMS: REQ TO AMEND APPROP O#44/2016 (\$28,575.88 SUPP APPROP FR UNAPPROP BAL OF FUND 2354 SOLID WASTE DISPOSAL LICENSE TO FUND 2354 307001 SOLID WASTE DISPOSAL LICENSE - 611 PAYROLL & WAGES - \$12,387.37, TO FUND 2354 307001 SOLID WASTE DISPOSAL LICENSE - 621 FRINGES - \$3,188.51, TO FUND 2354 307001 SOLID WASTE DISPOSAL LICENSE - 700 OTHER - \$13,000.000. - FINANCE COMMITTEE
304. HEALTH COMMISSIONER ADAMS: REQ TO AMEND APPROP O#44/2016 (\$60,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2323 PERSONAL RESPONSIBILITY ED PR FD TO FUND 2323 301001 PERSONAL RESPONSIBILITY ED PR FD - OTHER). - FINANCE COMMITTEE
305. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D1 D3 LIQ PERMIT FOR RCZ ENTERPRISES LLC DBA ROCSIZ CHICKEN & WAFFLES @ 1153 MCKINLEY AVE SW. - RECEIVED & FILED
306. LIQUOR CONTROL DIVISION (OHIO): REQ TRF OF D5 LIQ PERMIT FR PETER G. PAPACOSTAS DBA PETES GRILL & PIZZA, TO LIFE LONG INVESTMENTS LLC DBA DRAFT DAY BAR & GRILL @ 401 CHERRY AVE NE. - RECEIVED & FILED
307. LIQUOR CONTROL DIVISION (OHIO): REQ TRF OF D5 LIQ PERMIT FR DST HALO LLC DBA TAPAS 218 & PATIO TO GINGEE LLC DBA LUCCA MARKET @ 218 COURT AVE NW. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

308. MAYOR BERNABEI: REQ AUTHORIZATION TO ACCEPT AND IMPLEMENT AWARD OF FY 2015 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT (#EMW-2015 FH 00516) IN AMT OF \$1,450,030.00 FOR REHIRING AND RETENTION OF FIREFIGHTERS FOR A 2-YR PERIOD; RENAME FUND 2815 FIRE FEMA SAFER GRANT 2009 TO 2815 FIRE FEMA SAFER GRANT 2015; AMEND O#44/2016 TO ADOPT APPROPS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE AND PERSONNEL COMMITTEES
309. PLANNING COMMISSION: REQ REPLAT OF ALL OF LOTS 21320, 21321, 21322 & PART OF LOT 21323, AKA PARCELS 205893, 229772, & 245603, WARD 6, R-1A - SINGLE FAMILY RESIDENTIAL (HABITAT FOR HUMANITY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
310. PLANNING COMMISSION: REQ ZONE CHG AT UNADDRESSED VACANT PROP IN 1600 BLOCK OF CLEVELAND AVE NW, PARCELS 200402, 200403, 209273, 219566, 219567, 219568, 222514, 223324, 223330, & 246343, WARD 9, FR 4-1A SINGLE FAMILY RESIDENTIAL & B-3 GENERAL BUSINESS TO PB-4-PLANNED SPECIAL BUSINESS DISTRICT (FOXY FEW LLC). - JUDICIARY COMMITTEE
311. TREASURER PEREZ: RPT OF PARKING METER REV FOR JULY 2016. - RECEIVED & FILED
312. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX FOR JULY 2016. - RECEIVED & FILED
313. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF AUGUST 18, 2016. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. APPROVE STATEMENT OF SERVICES PROVIDED TO PROP OWNER IN BARCICH-MARKET AVE. N. ANNEXATION AREA, APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO CITY OF CANTON; EMERGENCY
Referred to Annexation Committee
- 1ST RDG 2. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$2,000,000.00 FOR THE PURPOSE OF PAYING COSTS OF REVITALIZATION WITHIN CITY AND ADDRESSING PROP CONDITIONS THAT ARE DELETERIOUS TO PUBLIC HEALTH AND SAFETY THROUGH DEMOLITION OF DETERIORATING STRUCTURES AND IMPROVEMENT OF THOSE SITES, ENABLING USE OR REUSE OF LANDS WITHIN CITY
Referred to Finance and Community & Economic Development Committees
- 1ST RDG 3. AUTHORIZE AUDITOR TO CREATE 1155 NIP ACQUISITION DEMO DEBT FUND; AMEND APPROP O#44/2016; EMERGENCY (\$2,000,000.00 FR UNAPPROP BAL OF 1155 NIP ACQ. DEMO DEBT FUND TO 1155 506001 NIP ACQ. DEMO DEBT - OTHER)
Referred to Finance and Community & Economic Development Committees
- 1ST RDG 4. AMEND EXHIBIT A TO O#40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (DEPT 20PW SERV DIR DIV OF PUBLIC WORKS - REMOVE CLASS OF DOWNTOWN SERVICE SPECIALIST POSITION)
Referred to Personnel Committee
- 1ST RDG 5. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH BENNETT AND WILLIAMS ENVIRONMENTAL CONSULTANTS, INC. FOR DESIGN AND CONSTRUCTION OVERSIGHT FOR INSTALLATION OF GROUNDWATER MONITORING WELLS; AMEND APPROP O#44/2016; EMERGENCY (\$54,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207010 WATER PUMPING AND FILTRATION - OTHER)
Referred to Public Property Capital Improvement and Finance Committees

(COUNCIL RECESSED AT 7:47 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #6; RECONVENED AT 7:48 P.M.)

- 142/2016 6. AUTHORIZE CITY AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$148,215.00 TO BROWNFIELD RESTORATION GROUP FOR PHASE 2 ENVIRONMENTAL ASSESSMENT WORK; EMERGENCY (FORMER WEBER DENTAL FACILITY)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:50 P.M. FOR THE ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE TO DISCUSS ORDINANCE #7; RECONVENED AT 7:52 P.M.)

- 143/2016 7. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVS; EMERGENCY
Referred to Environmental & Public Utilities Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

(COUNCIL RECESSED AT 7:48 P.M. FOR THE FINANCE AND PERSONNEL COMMITTEES TO DISCUSS ORDINANCE #8; RECONVENED AT 7:50 P.M.)

- 144/2016** 8. AUTHORIZE MAYOR OR SAF DIR TO RECEIVE AND IMPLEMENT FY 2015 SAFER GRANT IN AMT OF \$1,450,030.00; AUTHORIZE AUDITOR TO APPROP AND RENAME SAID FUNDS; AMEND APPROP O#44/2016 (\$170,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GEN FUND TO 1001 103001 GEN FUND - PAYROLL & PAYROLL FRINGES, \$170,000.00 FR UNAPPROP BAL OF 2815 SAFER GRANT 2015 TO 2815 103001 SAFER GRANT 2015 - OTHER)
Referred to Finance and Personnel Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD 2ND RDG O#9 - O#14; O#9 ADOPTED ON 2ND RDG)

- 145/2016** 9. AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT OF MENTAL HEALTH & ADDICTION SRVS FOR RECEIPT OF FY 2017 SPECIALIZED DOCKET SUBSIDY GRANT IN AMT OF \$42,700.70; AMEND APPROP O#44/2016; EMERGENCY (\$42,700.70 SUPP APPROP FR UNAPPROP BAL OF 2797 SPECIALIZED DOCKET GRANT FUND TO 2797 701001 SPECIALIZED DOCKET GRANT - PERSONNEL) (FIN)
- 2ND RDG** 10. AUTHORIZE SERV DIR AND PARKS & REC DIR TO INITIATE PUBLIC BID FOR LEASE OF 1,872 SQ FT OF SPACE IN EDWARD "PEEL" COLEMAN COMMUNITY CTR; EMERGENCY (PARKS & REC)
- 2ND RDG** 11. AUTHORIZE SAFETY DIR TO ACCEPT REIMBURSEMENT GRANT FR OH DEPT OF PUBLIC SAFETY IN AMT NOT TO EXCEED \$2,750.00; AMEND APPROP O#44/2016; EMERGENCY (\$2,750.00 SUPP APPROP FR UNAPPROP BAL OF 2812 EMS TRAINING & EQUIP GRANT FUND TO 2812 103001.734.17 FIRE DEPT - SUPPLIES EQUIP - OTHER) (FIN)
- 2ND RDG** 12. AMEND APPROP O#44/2016; EMERGENCY (\$200,000.00 SUPP APPROP FR UNAPPROP BAL OF 2773 2015 COPS HIRING GRANT FUND TO 2773 102001 POLICE DEPT - OTHER) (FIN)
- 2ND RDG** 13. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, ENTER INTO CONTRACT FOR PURCHASE OF (1) EXTENDED BED PICKUP TRUCK; OR TO ALTERNATIVELY PURCHASE SAID VEHICLE PURSUANT TO ANY COOP PURCHASING AGMTS AUTHORIZED BY LAW; EMERGENCY (SANITATION DEPT) (PPCI)
- 2ND RDG** 14. AUTHORIZE MAYOR OR SERV DIR TO TRF USE OF UNIT #5507, USED PICKUP TRUCK NO LONGER NEEDED BY SANITATION DEPT, TO CANTON CITY HEALTH DEPT; AUTHORIZE REIMBURSEMENT FOR SAID VEHICLE IN AMT NOT TO EXCEED \$20,062.87; EMERGENCY (PPCI)

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

- 146/2016** 15. 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
PUB HRG 8/22/16 @ 7:30 PM
- 147/2016** 16. AMEND EXHIBIT A TO O#40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR THE BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; EMERGENCY (DEPT 10WT - SERVICE DIRECTOR'S PUBLIC WORKS - WATER, CONSTR, REPAIR, MAINT, SUPPLY & TREATMENT DIVISION; ALLOW UP TO FOUR (4) TOTAL EMPLOYEES IN ANY COMBINATION - ENG. TECH 4, ENG. TECH 1, ENG. AIDE 3; REMOVE CLASSIFICATION OF DRAFTSPERSON)
- 148/2016** 17. AMEND APPROP O#44/2016; EMERGENCY (\$17,200,000.00 SUPP APPROP FR UNAPPROP BAL OF 7502 PAYROLL CLEARING FUND TO 7502 801001 PAYROLL CLEARING FUND - OTHER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, September 12, 2016 in Council Caucus Room at 6:30 PM**

- 1) Finance Committee
- 2) Public Property Capital Improvement Committee
- 3) Annexation Committee
- 4) Personnel Committee
- 5) Community & Economic Development Committee

MISCELLANEOUS BUSINESS: Member Fisher said he intended to deliver a lengthy presentation on the geopolitical impact of the 1936 Revolution in Spain, but instead he wanted to thank everybody. It's been a better part of 5 years since he moved from one side of the horseshoe to the other and he was thinking about the time he was being grumpy while standing in line at Fishers Foods when Ed Balint from the Repository called to interview him. He believes he gave a quote, stating "I'm not going down to City Hall to make friends, I want to have an impact on Policy". He's going to leave it to others to determine whether or not he had any impact on policy, but as it turns out, he made a lot of great friends while he was here and he's very appreciative. He said he was already pretty good friends with Members Babcock and West and Deputy Mayor Williams and he met many others along the way. More than anything else, he wanted to thank the current and previous Council staff for doing all the hard work that Council Members get credit for. He is now going to move over to the audience side and hammer away on getting the Comprehensive Plan funded and implemented instead of sitting on a shelf collecting dust. President Schulman made sure that all Committees were called for the meeting on September 12th. Member Smuckler spoke about issues raised by Member Hawk in regard to landlord Steve Filiez because he had raised the same issue last year. He is confused by the fact that Mr. Filiez has a bill of \$2,380.00 in the Water Department; however, the water has not been shut off. One of the bills is over \$6,000.00. He said this happens year after year and he can guarantee that two weeks from now nothing will be done about it. Law Director Martuccio said he can't respond as to how the billing and water turn-offs work, but they are going to have legal collection firms approach these issues and he will occasionally report back. He said the Mayor has also asked them to look into the "corporate vs personal" liabilities. Craig Chessler, Rick Hoffman, and David Molnar will work together to

go after some code violators. Member Hawk said they now have the poster child for bad landlords with Mr. Filiez because he's gotten a ton of code violations. He said he's been in some of Mr. Filiez's homes and they are disgusting. Member Mariol stated that last year Mr. Filiez was an issue. When WHBC called Mr. Filiez out on the radio, Mr. Filiez came in a day or two later to pay his bill. Mr. Filiez owes \$15,150.00 and Member Mariol thinks the Repository should call him out. President Schulman asked how these people do this year after year and said enough is enough. He believes it's time to put people in jail because they are a public hazard for what they're doing to members of our community.

ADJOURNMENT: 8:17 P.M.

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, SEPTEMBER 12, 2016 @ 7:30 PM