

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

OCTOBER 3, 2016

ROLL CALL: Ten Members Present

MOTION TO EXCUSE MEMBERS: Members Smuckler and West Absent (Member West appeared near end of meeting)

INVOCATION: Greg Hawk, Ward 1 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#2 & O#3; add 2nd Rdg O#4 - O#11; O#2 & O#3 Adopted on 1st Rdg; O#11 Adopted as Amended on 2nd Rdg)

PUBLIC HEARINGS:

7:30 P.M. AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCEL NOS. 200402, 200403, 209273, 219566, 219567, 219568, 222514, 223324, 223330, AND 246343 LOCATED AT AN UNADDRESSED VACANT PROPERTY IN THE 1600 BLOCK OF CLEVELAND AVENUE NW, COMMENCING APPROX 94 FEET NORTH OF AUBURN PLACE NW AND GOING APPROX 220 FEET NORTH, AND FROM THE WESTERN RIGHT OF WAY OF CLEVELAND AVENUE NW TO THE EASTERN RIGHT OF WAY OF SHORB AVENUE NW, CANTON, OHIO FROM R-1A (SINGLE FAMILY RESIDENTIAL) AND B-3 (GENERAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS DISTRICT) FOR KEMPTHORN IN WARD 9, PLANNING COMMISSION RECOMMENDED APPROVAL))
(1 SPEAKER) **0#175/2016**

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Pete DiGiacomo spoke about shopping carts in people's yards. The scrappers use them to haul their merchandise from one spot to another and then leave it sit. He's contact various grocery stores and only got two responses. They both said they will try to pick up the carts if a citizen calls. He wants to know if there is anything the city can do to rectify this situation. Henry Preston spoke about a lady he calls "Peeping Mary." He said that his motion camera picked up on her peeping in his window. He passed a picture and said it was a screen shot from the camera. He believes "Peeping" Mary is a failed response from Member Morris, the Market Heights Association, the Chief of Police and the Mayor because they didn't do anything about the dogs urinating on his property. He said that Law Dir. Martuccio was the only one who helped him and got the dog walkers to stop. He thinks community policing is lame. He wants to know who he should speak to next since he's identified "Peeping Mary" and has already filed a police report.

INFORMAL RESOLUTIONS:

59. PERSONNEL COMMITTEE: CONFIRMING APPT OF TOM HARMON TO JACKSON-CANTON JEDD BOARD OF DIRECTORS. - ADOPTED

COMMUNICATIONS:

358. ASST. LAW DIR. REESE: REQ LEGISLATION FOR JOINT ECONOMIC DEVELOPMENT (JEDD) AGMT IN SPECIFIC PROPOSED AREAS IN PARTNERSHIP WITH JACKSON TWP (DISTRICT FP NORTH OF PORTAGE AVE NW TO APPLGROVE ST NW). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

359. ASST. LAW DIR. REESE: REQ LEGISLATION FOR JOINT ECONOMIC DEVELOPMENT (JEDD) AGMT IN SPECIFIC PROPOSED AREAS IN PARTNERSHIP WITH PERRY TOWNSHIP (FORMER DOCTORS HOSPITAL). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

360. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO LOAN AGMT IN AMT NOT TO EXCEED \$2,000,000.00 WITH HISTORIC HERCULES, LLC TO PROVIDE GAP FINANCING FOR HERCULES REDEVELOPMENT PROJ; AUTHORIZE ISSUANCE OF ONE OR MORE BOND ANTICIPATION NOTES IN TOTAL AMT OF \$2,000,000.00 FOR PURPOSE OF FUNDING LOAN; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE PROPER FUND(S) FOR TRACKING, DISTRIBUTING, AND RECEIVING LOAN PAYMENTS AND REPAYMENTS; MAKE \$2,000,000.00 SUPP APPROP IN NEW FUND(S) ALLOWING FOR DISTRIBUTION OF PROCEEDS OF THE NOTE ISSUANCE AND MAKING OF THE LOAN; AMEND SEC 181.14(C) AND/OR 182.013(C) OF COD ORD TO ALLOW CAPITAL IMPROVEMENT FUNDS TO BE USED FOR REPAYMENT OF REVENUE BOND ANTICIPATION NOTES ISSUED FOR GAP FINANCING FOR HERCULES REDEVELOPMENT PROJECT AND FOR PAYMENT OF ANY AND ALL COSTS ASSOCIATED WITH NOTES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE

361. LAW DIRECTOR MARTUCCIO: REQ COUNCIL TO ADOPT ORDINANCES DESIGNATING TOURISM DEVELOPMENT DISTRICT (TDD) & ALLOWING FOR COLLECTION OF TAXES WITHIN DISTRICT TO SUPPORT DEVELOPMENT; REQ BLANKET AUTHORIZATION TO PREPARE ORDINANCES IN SEQUENCE FOR HALL OF FAME VILLAGE DISTRICT. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

362. LIQUOR CONTROL DIV (OHIO): REQ TRF D5 PERMIT FR BAR GUYS LLC @ 1153 MCKINLEY AVE SW TO FRONIMO LLC DBA FRONIMOS DOWNTOWN @ 315 CLEVELAND AVE NW. - RECEIVED & FILED

363. LIQUOR CONTROL DIV (OHIO): REQ TRF C1 C2 PERMIT FR HILL MINI MART LLC DBA SHORB DRIVE THRU TO EYAD LLC DBA SHORB DRIVE THRU @ 829 12TH ST NW. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

364. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 2 WITH PROFESSIONAL SERVICE INDUSTRIES, INC. (PSI) IN AMT OF \$5,200.00 FOR DESIGN, ENGINEERING, CONTRACT ADMIN, AND OTHER PROF SERVS FOR CITY HALL ROOF REPAIR/REPLACEMENT PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
365. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH MICHAEL BAKER INTERNAT'L FOR DESIGN AND RELATED ENGINEERING SERVS FOR BURNHAM HILLS SANITARY SEWER REPLACEMENT PROJ, GP 1220; \$30,029.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206318 BURNHAM HILLS SANITARY SEWER REPLACEMENT PROJECT, GP 1220 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
366. SERVICE DIRECTOR BARTOS: REQ LEGISLATION CERTIFYING AMTS TO COUNTY AUDITOR FOR LIENS DUE TO UNPAID INVOICES FOR STREET DEPT SERVS; AUTHORIZE MAYOR AND/OR SERV DIR, IN CONJUNCTION WITH STARK CO. AUDITOR TO WAIVE CERTIFIED LIEN AMTS ONCE THEY ARE PAID OR THE OWNER OF PROP PROVIDES SUFFICIENT PROOF THAT LIEN AMTS WERE UNJUST OR UNWARRANTED; EMERGENCY. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE CONSTRUCTION CONTRACT FOR GEORGE VIEW ESTATES NO. 3 SIDEWALKS AND ADA CURB RAMPS PROJ, G.P. 1253; AMEND APPROP O#44/2016; EMERGENCY (\$39,225.00 SUPP APPROP FR UNAPPROP BAL OF 4506 INFRASTRUCTURE BOND FUND TO 4506 202001 ENGINEERING ADMINISTRATION - OTHER)
Referred to Public Property Capital Improvement Committee

(COUNCIL RECESSED AT 7:46 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCES #2 & #3; RECONVENED AT 7:48 PM)

- 172/2016 2. AUTHORIZE MAYOR OR SAF DIR TO ACCEPT 2017 IMPAIRED DRIVING ENFORCEMENT PROG GRANT FR OHIO DEPT OF PUBLIC SAFETY IN AMT NOT TO EXCEED \$26,049.00; EMERGENCY
Referred to Finance Committee
- 173/2016 3. AUTHORIZE MAYOR OR SAF DIR TO ACCEPT 2017 SELECTIVE TRAFFIC ENFORCEMENT PROG GRANT FR OHIO DEPT OF PUBLIC SAFETY IN AMT NOT TO EXCEED \$17,366.00; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD 2ND RDG O#4 - O#11; O#11 ADOPTED AS AMENDED ON 2ND RDG)

- 2ND RDG 4. AUTHORIZE MAYOR OR SERV DIR TO CONVEY CITY-OWNED REAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO CANTON COMMUNITY IMPROVEMENT CORP; EMERGENCY (PARCELS 280872, 280873, 284986, 280871, 285060 TO REFUGE OF HOPE) (C&ED)
- 2ND RDG 5. AMEND APPROP O#44/2016; EMERGENCY (\$29,607.53 FR UNAPPROP BAL OF 2766 MUNICIPAL PROBATION SERVICES FUND TO 2766 701001 MUNICIPAL PROBATION SERVICES - PERSONNEL) (FIN)
- 2ND RDG 6. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE GRANT IN AMT NOT TO EXCEED \$175,000.00 FOR ECONOMIC AND CIVIC DEVELOPMENT OF CITY; AMEND APPROP O#44/2016; EMERGENCY (\$175,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER) (C&ED/FIN)
- 2ND RDG 7. AMEND APPROP O#44/2016; EMERGENCY (\$19,000.00 FR UNAPPROP BAL OF 2155 CITY PARKING DECK/LOT FUND TO 2155 104040 - PERSONNEL) (FIN)
- 2ND RDG 8. APPROVE AND ACCEPT REPLATTING AND RENUMBERING OF PART OF Outlot 132 AND 133, PART OF LOTS 6203, 6204, 6205, 6206, AND 6207, 33172 AND 39866 AND ALL OF LOTS 17600, 17601, 17602, 17603, 39867, AND 39868; EMERGENCY (NELSON PROPERTY LTD, 1100 BLOCK MARKET AVE N) (PS&T)
- 2ND RDG 9. APPROVE CANTON CITY WATER MAIN EXTENSION TO PLAIN TWP; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMTS FOR EXTENSION OF SAID WATER MAIN; EMERGENCY (LEXINGTON FARMS NORTH NUMBERS 2 & 3) (E&PU)
- 2ND RDG 10. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF ONE (1) COMBINATION SEWER CLEANER, ONE (1) TANDEM AXLE CAB/CHASSIS AND ONE (1) DUMP BODY; OR TO ALTERNATIVELY PURCH SAID VEHICLES PURSUANT TO ANY COOP PURCH AGMTS AUTHORIZED BY LAW; EMERGENCY (COLLECTION SYSTEMS DEPT) (PPCI)

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

- 174/2016** 11. ESTABLISH FAIR MARKET VALUE OF REAL PROP; AUTHORIZE MAYOR AND/OR SERV DIR, OR THEIR DESIGNEE, TO ENTER INTO AGMTS FOR PURCH/ACQ OF PARCELS FOR FEE SIMPLE TAKES, PERM EASEMENTS, AND TEMP EASEMENTS FOR 12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJ; EMERGENCY (PS&T/PPCI)

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

- 175/2016** 12. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (KEMPTHORN) **PUB HRG 10/3/16 @ 7:30 PM**
- 176/2016** 13. AUTHORIZE MAYOR OR SERV DIR TO AMEND I-77/FAIRCREST COOP ECONOMIC DEVELOPMENT AGMT TO INCLUDE 77 GULLIVERS - 2414 FAIRCREST ST SW ANNEXATION AREA; EMERGENCY
- 177/2016** 14. AMEND APPROP O#44/2016; EMERGENCY (\$3,000.00 SUPP APPROP FR UNAPPROP BAL 7506 BUILDING DEPARTMENT STATE ASSESSMENT FUND TO 7506 101501 - OTHER)
- 178/2016** 15. AMEND APPROP O#44/2016; EMERGENCY (\$5,000.00 SUPP APPROP FR UNAPPROP BAL 2812 EMS TRAINING AND EQUIPMENT FUND TO 2812 103001 SUPPLIES - OTHER)
- 179/2016** 16. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PURCH OPTION AGMT WITH GROFFRE INV, LTD FOR SALE AND PURCH OF PARCELS OF REAL PROP OWNED BY CITY OF CANTON AND ESTABLISH FAIR MARKET VALUE OF PROP PURSUANT TO CITY'S LAND REUTILIZATION PROG; EMERGENCY
- 180/2016** 17. AUTHORIZE MAYOR OR SAF DIR TO RECEIVE AND APPROP FIREFIGHTERS SUPPORT FOUNDATION EQUIPMENT GRANT IN AMT OF \$4,000.00 TO PURCH WATER RESCUE EQUIP OR RELATED EQUIP FOR FIRE DEPT; AMEND APPROP O#44/2016; EMERGENCY (\$4,000.00 SUPP APPROP FR UNAPPROP BAL OF 2783 FIRE DONATION FUND TO 2783 103001 SUPPLIES - OTHER)
- 181/2016** 18. AUTHORIZE CITY AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$5,658.70 TO VIEWU, LLC.; EMERGENCY
- 182/2016** 19. AMEND APPROP O#44/2016; EMERGENCY (\$295,000.00 SUPP APPROP FR UNAPPROP BAL 5201 WATER FUND TO 5201 207001 WATER ADMINISTRATION - OTHER - \$10,000.00, TO 5201 207022 WATER DISTRIBUTION - OTHER - \$285,000.00)
- 183/2016** 20. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 1 FOR EAST SIDE INTERCEPTOR SANITARY SEWER RELOCATION PROJ, GP 1113, CONSTRUCTION ENGINEERING SERVS, CONTRACT NO. 2015-75, WITH MICHAEL BAKER JR., INC. IN AMT OF \$34,462.71; AUTHORIZE AUDITOR TO PAY A MORAL OB IN AMT NOT TO EXCEED \$34,462.71 TO MICHAEL BAKER JR., INC.; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, October 17, 2016 in Council Caucus Room at 7:00 PM**

1) Public Property Capital Improvement Committee

ENGINEERING - URBAN FORESTRY PRESENTATION**MISCELLANEOUS BUSINESS:** None**ADJOURNMENT:** 8:04 P.M.**NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 17, 2016 @ 7:30 PM**