

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

CANTON CITY COUNCIL

NOVEMBER 14, 2016

MOMENT OF SILENCE FOR LAW DIRECTOR MARTUCCIO'S MOTHER, FORMER COUNCIL MEMBER CRAIG MASSEY'S MOTHER, ROGER ZACHARY'S WIFE, JANE VIGNOS' TWO SONS, AND TINA SCHUMACHER

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: John Mariol, Ward 7 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#4; 2nd Rdg O#6 - O#10; O#5 Retained in Committee; O#4 Adopted on 1st Rdg; O#10 Adopted on 2nd Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Patricia Kirk indicated that the Mayor's Safety Meeting held downtown on November 1, 2016 was a very good idea because local people were involved, and she feels we need more of this. She discussed the idea of Silva which promotes an atmosphere of relaxation, and provides room for tree roots to grow. A company will come down to the city, show them how to install them and train city workers so they don't have to hire out. She proposed using them in the Kresge lot. She feels we need nature because it calms, soothes and reduces crime. President Schulman asked her to provide him with information regarding this. Pete DiGiacomo spoke about his concern regarding the RV dump station at 9th and Schroyer SW. He witnessed four motor homes dumping waste water. The city pays to have it cleansed and distributed back into the river. He doesn't feel it's quite right for this to be going into our sewer system and we pay for it.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

416. AUDITOR MALLONN: APPROVE REISSUANCE OF \$1,800,000 REVENUE BOND ANTICIPATION NOTE FOR CONTINUED OPERATION OF ONESTO PROJ. - FINANCE COMMITTEE
417. AUDITOR MALLONN: REQ \$1,387.80 SUPP APPROP FR UNAPPROP BAL #1001-801001 GENERAL OPERATING TO PERSONNEL #1001-801001 GENERAL OPERATING FOR CONTINUED OPERATIONS OF AUDITOR'S OFFICE. - FINANCE COMMITTEE
418. AUDITOR MALLONN: REQ \$2,500.00 SUPP APPROP FR UNAPPROP BAL #1001-852001 TO PERSONNEL #1001-852001 GENERAL OPERATING FOR CONTINUED OPERATIONS OF TREASURY DEPT. - FINANCE COMMITTEE
419. AUDITOR MALLONN: REQ \$3,000.00 SUPP APPROP FR UNAPPROP BAL #1001-753001 GENERAL OPERATING TO PERSONNEL #1001-753001 GENERAL OPERATING FOR CONTINUED OPERATIONS OF LAW DEPT. - FINANCE COMMITTEE
420. FINANCE DIRECTOR CROUSE: AMEND APPROP O#44/2016 (\$163,751.09 APPROP TRFS TO MEET PAYROLL & OTHER 2016 OBLIGATIONS FOR PARKS & REC FUND #2530 & OPERATING FUND #1001 PER ATTACHED EXHIBIT A). - FINANCE COMMITTEE
421. LIQUOR CONTROL DIV (OHIO): REQ TRF D1, D3, D3A, D6 PERMIT FR DON TEQUILA WALBRIDGE LLC, DBA DON TEQUILA BAR & GRILL TO PITUFIN LLC LOCATED @ 4123 TUSCARAWAS ST W (WARD 3). - RECEIVED & FILED
422. PLANNING COMMISSION: REQ REPLAT OF ALL OF LOTS 13648 & 13649, AKA TAX PARCELS 200246 & 231581 FOR HABITAT FOR HUMANITY IN 300 BLOCK OF WEBSTER AVE NE (WARD 4). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
423. PLANNING COMMISSION: REQ CITY-WIDE ZONE CHANGE OF APPROX 1.94 ACRES IN 3000 BLOCK OF KASPER ST NE, PARCEL 306265, FR R-1A TO R-3 IN WARD 6; APPROX 1.70 ACRES ON 9TH ST SW & CAMDEN AVE SW, PARCELS 205703, 244602, 208263, 214865, 204900, 205706 & 205699 FR I-1 TO R-4, WARD 5; AND APPROX 1.73 ACRES IN 600 BLOCK OF LINWOOD AVE SW, PARCELS 214110, 214111, 214112, 214113, 214114, 241785, 218240 & 218241 FR R-1A & B-3 TO R-4 IN WARD 3, IN LINE WITH COMPREHENSIVE PLAN. - JUDICIARY COMMITTEE
424. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT WITH PROTECH SECURITY IN APPROX AMT OF \$40,200.00 FOR DOWNTOWN CAMERA PROJ PURSUANT TO ANY COOP PURCH AGMT AUTHORIZED BY LAW, SOLE SOURCE DOCTRINE & CANTON CODIFIED ORDINANCE #105.10 (PROF OR PERS SRVS CONTRACTS); REQ \$40,200.00 APPROP TRF FR CAPITAL 4501 504010 - OTHER TO CAPITAL 4501 102001 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

COMMUNICATIONS CONTINUED:

425. SERVICE DIRECTOR BARTOS: REAUTHORIZE O#170/2015; REQ \$305,000.00 APPROP TRF FR 5410 202010 ENGINEER DAILY OPERATIONS - OTHER TO 5410 206317 MAPLEWOOD (NEW DAWN SUBDIVISION) SANITARY SEWER PROJ, GP 1236 - OTHER; AUTHORIZE AUDITOR TO PAY ONE OR MORE MORAL OBS RELATED TO SAID PROJ TO STARK COUNTY FOR TOTAL AMT NOT TO EXCEED \$305,000.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
426. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT WITH FROST BROWN TODD LLC FOR LEGAL SRVS RELATED TO WRF & COLLECTION SYSTEMS DEPT; REQ \$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206005 WRF OPERATION & MAINTENANCE - OTHER FOR \$50,000.00 & TO 5410 206006 COLLECTION SYSTEMS DEPT - OTHER FOR \$50,000.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
427. SERVICE DIRECTOR BARTOS SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD & ENTER INTO CONTRACTS PURSUANT TO CANTON CODIFIED ORDINANCE SEC 105.09 FOR PURCH OF MATERIALS, EQUIP, SUPPLIES & SRVS LISTED ON EXHIBIT A FOR 2017; AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ENTER INTO PROF SRVS CONTRACTS PURSUANT TO CANTON CODIFIED ORDINANCE SEC 105.10 FOR PROF SRVS LISTED IN EXHIBIT A FOR 2017; AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ENTER INTO CONTRACTS VIA ANY COOP PURCH AGMTS AUTHORIZED BY LAW FOR PURCH OF MATERIALS, EQUIP, SUPPLIES & SRVS LISTED IN EXHIBIT A FOR 2017; AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ENTER INTO CONTRACTS PURSUANT TO ORC SEC 735.05 WITH QUALIFIED NONPROFIT AGENCIES AS DEFINED BY ORC SECS 4115.31 TO 4115.35 FOR PURCH OF MATERIALS, EQUIP, SUPPLIES & SRVS LISTED IN EXHIBIT A FOR 2017; AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ENTER INTO CONTRACT AMENDMENTS & CONTRACT MODIFICATIONS FOR MATERIALS, EQUIP, SUPPLIES, SRVS & PROF SRVS LISTED ON EXHIBIT A; AUTHORIZE ANY CONTRACTS, CONTRACT AMENDMENTS & CONTRACT MODIFICATIONS ENTERED INTO PURSUANT TO THIS ORDINANCE TO BE MULTIPLE YR AGMTS AND/OR CONTAIN RENEWAL PROVISIONS WHERE REQUIRED OR BENEFICIAL; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
428. TREASURER PEREZ: MTHLY RPT OF PARKING METER REVENUE FOR OCTOBER, 2016. - RECEIVED & FILED
429. TREASURER PEREZ: MTHLY RPT OF DEPOSITS & PAY-INS TO AMBULANCE LOCK BOX ACCT FOR OCTOBER, 2016. - RECEIVED & FILED
430. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF NOVEMBER 9, 2016. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS HOF VILLAGE #1 ANNEXATION AREA CONTAINING APPROX 2.797 ACRES, MORE OR LESS; ASSIGN SAID TERRITORY TO WARD 7; ZONING SAID TERRITORY AS HALL OF FAME VILLAGE DISTRICT (HOFV); EMERGENCY
Referred to Annexation Committee **PUB HRG 11/28/16 @ 7:30 P.M.**
- 1ST RDG 2. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (DOLLAR GENERAL, W TUSC)
Referred to Judiciary Committee **PUB HRG 11/28/16 @ 7:31 P.M.**
- 1ST RDG 3. AUTHORIZE MAYOR OR SERV DIR TO CONVEY CITY-OWNED REAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO CANTON COMMUNITY IMPROVEMENT CORP; EMERGENCY (PARCEL 284927, 5TH ST SW)
Referred to Community & Economic Development Committee

(COUNCIL RECESSED AT 7:42 P.M. FOR THE PUBLIC SAFETY & THOROUGHFARES COMMITTED TO DISCUSS ORDINANCE #4; RECONVENED AT 7:43 P.M.)

- 219/2016 4. APPROVE & ACCEPT REPLATTING OF ALL OF LOTS 30718, 30719, 30720, 30721 & 30722; EMERGENCY (ALLIANCE FOR CHILDREN & FAMILIES, 500 BLOCK OF LINWOOD AVE SW)
Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD 2ND RDG O#6 - O#10; O#5 RETAINED IN COMMITTEE; O#10 ADOPTED ON 2ND RDG)

RETAINED IN COMMITTEE

5. DECLARE DESIGNATED AREA OF CITY OF CANTON AS TOURISM DEVELOPMENT DISTRICT FOR PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT; PURSUANT TO ORC SEC 715.014; EMERGENCY **PUB HRGS 10/31/16 @ 7:32 P.M. & 11/7/16 @ 7:30 P.M.** (C&ED)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 6. DECLARE CERTAIN PARCELS OF REAL PROP LOCATED IN CITY OF CANTON, STARK CO, TO BE BLIGHTED; DECLARE IMPROVEMENT OF THOSE PARCELS OF REAL PROP TO BE A PUBLIC PURPOSE; DECLARE PROP TO BE EXEMPT FR REAL PROP TAXATION; DESIGNATE SPECIFIC PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT, ONCE MADE, WILL DIRECTLY BENEFIT PARCELS FOR WHICH IMPROVEMENT IS DECLARED TO BE PUBLIC PURPOSE; REQUIRE ANNUAL SERV PAYMENTS IN LIEU OF TAXES; ESTABLISH MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AUTHORIZE EXECUTION OF COMPENSATION AGMT; PROVIDE RELATED AUTHORIZATIONS PURSUANT TO O.R.C SEC 5709.40(B), 5709.42, 5709.43, 5709.832 AND 5709.85; EMERGENCY (FIN)
- 2ND RDG 7. AUTHORIZE MAYOR OR SERV DIR TO ISSUE REQUEST FOR PROPOSALS FOR PROP MGT OF RENTAL UNITS, AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT UPON SELECTION OF QUALIFIED ENTITY; AUTHORIZE SALE OF PROPS ELIGIBLE TO BE SOLD THROUGH O.R.C. SECTION 721.28 UNDER COUNCIL'S URBAN RENEWAL AND REDEVELOPMENT AUTHORITY; EMERGENCY (C&ED)
- 2ND RDG 8. AMEND APPROP O#44/2016; EMERGENCY (\$70,000.00 APPROP TRF FR 1001 101501 CODE ENFORCEMENT - OTHER, \$2,558.77 APPROP TRF FR 1001 102080 POLICE - TRAFFIC - PERSONNEL TO 1001 501101 HUMAN RESOURCES - PERSONNEL - \$10,000.00, TO 1001 852001 TREASURER - PERSONNEL - \$20,000.00, TO 1001 102001 POLICE-ADMIN - OTHER - \$40,000.00, TO 1001 102090 POLICE - CRIME LAB - PERSONNEL - \$2,558.77) (FIN)
- 2ND RDG 9. AUTHORIZE ESTABLISHMENT OF ANNUAL STIPEND TO DIR OF HUMAN RESOURCES IN AMT OF \$6,500.00 FOR SIMULTANEOUSLY HOLDING POS AND RESP OF HEALTH BENEFITS ADMIN; AUTHORIZE AUDITOR TO PAY STIPEND; EMERGENCY (FIN & PERS)
- 220/2016 10. AUTHORIZE AUDITOR TO PAY ONE OR MORE MORAL OBS TO WENGER EXCAVATING, INC. AND CENTRAL ALLIED ENTERPRISES, INC; AMEND APPROP O#44/2016; EMERGENCY (\$115,649.00 SUPP APPROP FR UNAPPROP BAL OF 2113 MUNICIPAL ROAD FUND TO 2113 MUNICIPAL ROAD FUND - OTHER; \$146,691.00 SUPP APPROP FR UNAPPROP BAL OF 4506 INFRASTRUCTURE BOND FUND TO 4506 INFRASTRUCTURE BOND FUND - OTHER) (FIN & PPCI)

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

- 221/2016 11. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACTS WITH HABITAT FOR HUMANITY EAST CENTRAL OHIO IN AMT NOT TO EXCEED \$250,000.00 FOR CONSTRUCTION OF MINIMUM OF SIX SINGLE-FAMILY HOMES FOR LOW-TO-MODERATE INCOME FAMILIES FOR HOME PROG WITHIN CITY; EMERGENCY
- 222/2016 12. PROVIDE FOR ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN MAXIMUM AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$2,000,000.00 TO PROVIDE FUNDS FOR LOAN FOR ECONOMIC DEVELOPMENT IN CITY; AUTHORIZE RELATED MATTERS; EMERGENCY (HISTORIC HERCULES)
- 223/2016 13. AMEND APPROP O#44/2016; EMERGENCY (\$20,000.00 SUPP APPROP FR UNAPPROP BAL OF 2316 WIC SUPPLEMENTAL HEALTH FUND TO 2316 301001 WIC SUPPLEMENTAL HEALTH - 700 OTHER)
- 224/2016 14. APPROVE STATEMENT OF SERVICES TO BE PROVIDED TO PROP OWNER IN HOF VILLAGE #2 ANNEX AREA, APPROX DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY OF CANTON, OH; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, November 21, 2016 in Council Caucus Room at 6:15 PM**

- 1) Community & Economic Development Committee
- 2) Annexation Committee
- 3) Judiciary Committee

TOURISM DEVELOPMENT DISTRICT PRESENTATION - WALTER HAVERFIELD LAW FIRM

MISCELLANEOUS BUSINESS: Member Smuckler indicated that Richard Regula's father-in-law also passed away this past weekend. His calling hours are tomorrow at St. George's Church on 44th Street from 5:00 to 8:00 P.M. He said that the Vignos calling hours have not been announced yet, and asked about Law Director Martuccio's father's calling hours. Mayor Bernabei advised that those calling hours will be in Girard, Ohio from 4:30 to 7:30 P.M. Member Smith advised that Ms. Zachary's calling hours are Friday and the funeral will be Saturday. Craig Massey's mother's funeral is Friday, and her calling hours are one hour before the funeral. Member Hawk thanked the Administration for their time and effort in providing budget updates. He feels it is very important to have accurate information at their disposal at all times, as it makes for good votes in Council. Member West announced that on November 19, 2016 from 7:00 to 9:00 P.M. there will be a Night of Praise, the Prodigal Son will be performing, and the guest speaker will be Rev. Dr. Al Sampson who was ordained by Martin Luther King. This will take place at 1525 Shorb Ave NW.

ADJOURNMENT: 8:02 P.M.