

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

CANTON CITY COUNCIL

NOVEMBER 21, 2016

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Edmond Mack, Ward 8 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#10; 2nd Rdg O#11 - O#14; O#10 Adopted on 1st Rdg; O#15 Postponed until 11/28/16; O#18 Adopted as Amended)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Pastor Walter Moss, wanted to make everyone aware that everyday citizens participated in canvassing the area for the study which was done by Walsh University and Kent State University that was mentioned in the Repository. On 12/1/16 at 3:00, the CIRV Project will have a formal call-in with Common Pleas Court; on Friday 12/1/16 from 10:00 - 12:00 noon, they're having an informal call-in in the City Council Chambers with women who are on parole or probation. Both call-ins target gang and gun violence. Patricia Kirk gave additional information about Silva Cells. They are long, underground structures that give places for roots of trees to live and they deal with pollution and storm water at the same time. They're not cheap. She contacted Deep Root Green Infrastructure, in California and received information on Silva Cells. She gave the information packet to President Schulman to review. She also referred to the presentation given during the Caucus meeting and stated that she believes in diversity but a village that deals with only one thing makes her nervous. Pastor David Morgan invited everyone to attend the 35th Annual Thanksgiving Service for the Canton area on 11/22/16 at 7:00 p.m. at the Trinity United Church of Christ on Blackburn, at 5 Points.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

431. AUDITOR MALLONN: REQ \$1,500,000.00 SUPP APPROP FR UNAPPROP BAL - 6010 801001 WORKERS COMP RETRO FUND TO OTHER - 6010 801001 WORKERS COMP RETRO FUND FOR CONT'D OPER OF ACCT'G FOR INTERNAL WORKERS COMP RETRO CLEARING ACCT. - FINANCE COMMITTEE
432. AUDITOR MALLONN: REQ \$20,000.00 TRF FR OTHER - 1001 801010 AUDITOR LEGALLY BINDING EXP TO OTHER - 1001 801001 AUDITOR ADMINISTRATION FOR CONT'D OPER OF ACCT'G FOR AND FUNDING GENERAL FUND ACCT. - FINANCE COMMITTEE
433. DEPT. OF COMMERCE: NOTIFICATION OF PERMITS TO SELL ALCOHOLIC BEVERAGES EXPIRE 2/1/17. - RECEIVED & FILED
434. FINANCE DIRECTOR CROUSE: AMEND APPROP O#44/2016 TO MEET 2016 BUDGET REQUIREMENTS (\$25,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102020 POLICE DETECTIVE BUREAU - PERSONNEL - \$20,000.00; TO 1001 102080 POLICE TRAFFIC DIVISION - PERSONNEL - \$5,000.00; \$11,585.00 APPROP TRF FR 1001 506001 COMMUNITY DEVELOPMENT - OTHER TO 1001 506001 COMMUNITY DEVELOPMENT - PERSONNEL). - FINANCE COMMITTEE
435. LIQUOR CONTROL DIV (OHIO): REQ FOR CHANGE OF CORPORATE STOCK OWNERSHIP FOR C1 C2 PERMIT FOR BREEZE DRIVE THRU INC @ 1837 CLEVELAND AVE SW. - RECEIVED & FILED
436. SERVICE DIRECTOR BARTOS: AMEND EXHIBIT A TO ORDINANCE #168/2016 IN ITS ENTIRETY WITH ATTACHED EXHIBIT; EMERGENCY (MAHONING RD NE RECONSTRUCTION). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
437. TREASURER PEREZ: AMEND RESOLUTION #144/2015 TO INCLUDE FIRST COMMONWEALTH & WESTFIELD BANKS AMONG CITY'S DESIGNATED DEPOSITORIES THRU 5/2020. - FINANCE COMMITTEE
438. TREASURER PEREZ: ADOPT & IMPLEMENT AMENDMENTS TO CHAPTERS 125, 181, 182, 185, AND 1311 OF CODIFIED ORD OF CANTON, INCLUDING UPDATING CANTON'S DISHONORED REMITTANCE FEES; TECHNICAL CORRECTIONS RESULTING FROM SLIP OPINION 2016-OHIO-7582, DECIDED IN NOV 2016; IN COMPLIANCE WITH H.B. 5.; MANDATES FR SB 172; PROVIDING FOR LANDLORD REPORTING AND TENANT REGISTRATION TO AND WITH THE CITY; EXTENDING DUE DATES FOR FILING AND REMITTANCE OF TRANSIENT LODGING TAX, AND REQUIRE COMPLIANCE WITH CANTON'S INCOME TAX CODE AS PART OF THE CITY'S GENERAL TRADES, ELECTRICAL, PLUMBING, HVAC, AND REMODELING LICENSING PROCEDURES. - JUDICIARY COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. PROVIDE FOR ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$2,000,000.00 TO PROVIDE FUNDS TO MAKE A LOAN FOR ECONOMIC DEVELOPMENT IN THE CITY; AUTHORIZE RELATED MATTERS; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 2. AMEND APPROP O#44/2016; EMERGENCY (\$1,387.80 SUPP APPROP FR UNAPPROP BAL OF 1001 801001 GENERAL OPERATING FUND TO 1001 801001 GENERAL OPERATING - PERSONNEL) (AUDITOR'S OFFICE)
Referred to Finance Committee
- 1ST RDG 3. AMEND APPROP O#44/2016; EMERGENCY (\$2,500.00 SUPP APPROP FR UNAPPROP BAL OF 1001 852001 GENERAL OPERATING FUND TO 1001 852001 GENERAL OPERATING - PERSONNEL) (TREASURY DEPT)
Referred to Finance Committee
- 1ST RDG 4. AMEND APPROP O#44/2016; EMERGENCY (\$3,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 753001 GENERAL OPERATING FUND TO 1001 753001 GENERAL OPERATING - PERSONNEL) (LAW DEPT)
Referred to Finance Committee
- 1ST RDG 5. AMEND APPROP O#44/2016; EMERGENCY (\$163,751.09 APPROP TRF FR 2530 401060 PARKS AND REC - PERSONNEL - \$15,000.00, FR 1001 301001 HEALTH - NURSES - PERSONNEL - \$13,416.00, FR 1001 301001 HEALTH - NURSES - OTHER - \$14,335.09, FR 1001 201001 SERVICE DIRECTOR - PERSONNEL - \$20,000.00, FR 1001 201201 PURCHASING - PERSONNEL - \$3,000.00, FR 1001 202210 MAINT - PERSONNEL - \$63,000.00, FR 1001 701001 JUDGES - PERSONNEL - \$35,000.00 TO 2530 401060 PARKS AND REC - OTHER - \$15,000.00, TO 1001 307001 ENVIRONMENTAL - PERSONNEL - \$27,751.09, TO 1001 101001 SAFETY DIRECTOR - PERSONNEL - \$11,059.54, TO 1001 102090 POLICE - PERSONNEL - \$30,000.00, TO 1001 204010 OTHER BUILDINGS - PERSONNEL - \$20,000.00, TO 1001 501001 MAYOR'S - PERSONNEL - \$10,000.00, TO 1001 501101 HUMAN RESOURCES - PERSONNEL - \$2,090.00, TO 1001 506001 COMMUNITY DEV - PERSONNEL - \$10,000.00, TO 1001 801001 AUDITOR - PERSONNEL - \$10,000.00, TO 1001 852001 TREASURER - PERSONNEL - \$6,700.00, TO 1001 102001 POLICE ADMIN - PERSONNEL - \$21,150.46) (PAYROLL & OTHER OBS FOR 2016)
Referred to Finance Committee
- 1ST RDG 6. APPROVE AND ACCEPT REPLATTING OF ALL OF LOTS 13648 AND 13649; EMERGENCY (300 BLOCK OF WEBSTER, WARD 4, HABITAT FOR HUMANITY)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 7. RE-AUTHORIZE O#170/2015; AMEND APPROP O#44/2016; AUTHORIZE AUDITOR TO PAY ONE OR MORE MORAL OBS TO STARK CTY IN TOTAL AMT NOT TO EXCEED \$305,000.00; EMERGENCY (\$305,000.00 APPROP TRF FR 5410 202010 ENGINEER DAILY OPERATIONS - OTHER TO 5410 206317 MAPLEWOOD (NEW DAWN SUBDIVISION) SANITARY SEWER PROJECT, GP 1236 - OTHER)
Referred to Finance Committee
- 1ST RDG 8. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT WITH FROST BROWN TODD LLC FOR LEGAL SERVS RELATED TO CITY OF CANTON WRF AND COLLECTIONS SYSTEMS DEPT; AMEND APPROP O#44/2016; EMERGENCY (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206005 WRF OPERATION AND MAINTENANCE - OTHER - \$50,000.00, TO 5410 206006 COLLECTION SYSTEMS DEPARTMENT - OTHER - \$50,000.00)
Referred to Finance Committee
- 1ST RDG 9. AUTHORIZE MAYOR AND/OR SERV DIR AND SAF DIR TO: ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACTS FOR THE PURCH OF MATERIALS EQUIPMENT, SUPPLIES, AND SERVS PURSUANT TO COD ORD SEC 105.09; ENTER INTO PROF SERVS CONTRACTS PURSUANT TO COD ORD SEC 105.10; ENTER INTO CONTRACTS VIA ANY COOP PURCH AGMTS AUTHORIZED BY LAW; ENTER INTO CONTRACTS PURSUANT TO O.R.C. SEC 735.05 WITH QUALIFIED NONPROFIT AGENCIES; ENTER INTO CONTRACT AMENDMENTS AND CONTRACT MODIFICATIONS; AUTHORIZE ANY CONTRACTS, CONTRACT AMENDMENTS, AND CONTRACT MODIFICATIONS ENTERED INTO PURSUANT TO THIS ORDINANCE TO BE MULTIPLE YEAR AGMTS AND/OR CONTAIN RENEWAL PROVISIONS WHERE REQUIRED OR BENEFICIAL TO THE CITY; EMERGENCY
Referred to Finance Committee

(COUNCIL RECESSED AT 7:44 P.M. FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #10; RECONVENED AT 7:52 P.M.)

- 225/2016 10. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO CONTRACT WITH PROTECH SECURITY, INC. IN AN APPROX AMT OF \$40,200.00 FOR DOWNTOWN CAMERA PROJ PURSUANT TO ANY COOP PURCH PROG AUTHORIZED BY LAW, THE SOLE SOURCE DOCTRINE, AND CANTON COD ORD SEC 105.10; AMEND APPROP O#44/2016; EMERGENCY (\$40,200.00 APPROP TRF FR 4501 504010 CAPITAL - OTHER TO 4501 102001 CAPITAL - OTHER)
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD 2ND RDG O#11 - O#14)

- 2ND RDG 11. 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)
- 2ND RDG 12. 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
PUB HRG 11/28/16 @ 7:30 P.M. (ANNEX)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 13. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (DOLLAR GENERAL, W TUSC) **PUB HRG 11/28/16 @ 7:31 P.M.** (JUD)
- 2ND RDG 14. 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) (C&ED)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE:**POSTPONED TO 11/28/16**

- _____ 15. 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
- 226/2016 16. 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
- 227/2016 17. 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)

AMENDED AS

- 228/2016 18. AUTHORIZE ESTABLISHMENT OF ANNUAL STIPEND TO DIR OF HUMAN RESOURCES; AUTHORIZE AUDITOR TO PAY STIPEND; EMERGENCY (\$6,500.00 FOR SIMULTANEOUSLY HOLDING POSITION AND RESPONSIBILITIES OF HEALTH BENEFITS ADMIN)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, November 28, 2016 in Council Caucus Room at 6:30 PM**

- 1) Finance Committee
- 2) Public Safety & Thoroughfares Committee

MISCELLANEOUS BUSINESS: President Schulman recommended that Council take a long, close look at their relationships and make sure that they're not on the short side of the stick. He believes the TDD is a great opportunity for the city and a lot of time has been spent working on it, but encouraged everyone to still be mindful that the city itself needs help and believes that the city should share in the rewards of this enterprise. He stated that Council has made it very clear that we need to make sure that the city is taken care of, as well as the beautiful edifice they plan to put in. He believes it isn't fair to the citizens of Canton if it's not expanded to include the center city because that's the most important part of this enterprise. Serv. Dir. Bartos announced that he and the Mayor would like to say that the Light Up Downtown on 12/1/16 will be the grand re-opening of the downtown ice rink. Various people have been very integral in the opening of the ice rink in order to make this happen. Member Dougherty asked if Serv. Dir. would be the first on the ice, to which Dir. Bartos answered yes, he would be the tester to make sure it's safe for everyone else! Member Morris stated that everyone knows that IRG is in business to make money and asked the Law Director to do his due diligence to protect the city because he's not very trusting of them. They cost some time over the holiday last year because they pulled some legislation wordage out. He also wished everyone a safe Thanksgiving. Law Director Martuccio told Member Morris that he understood his fiduciary duties, as well as those of everyone at the meeting. He also thanks everyone for their kind words, cards, and sentiments during the passing of his father. Member Smith asked that everyone keep the Slesnick family in prayer.

ADJOURNMENT: 8:10 P.M.