

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

CANTON CITY COUNCIL

DECEMBER 5, 2016

**ROLL CALL:** Eleven Members Present

**MOTION TO EXCUSE MEMBERS:** Member Morris Absent

**INVOCATION:** Chris Smith, Ward 4 Council Member

**PLEDGE OF ALLEGIANCE:** President Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>st</sup> Rdg O#4 - O#6; 2<sup>nd</sup> Rdg O#7 - O#11; O#4, O#5, and O#6 adopted on 1<sup>st</sup> Rdg; O#12 Adopted as Amended; O#13 Postponed until 12/12/16)

**PUBLIC HEARINGS:** None

**OLD BUSINESS (PUBLIC SPEAKS):** None

**PUBLIC SPEAKS (CITY BUSINESS):** Pete DiGiacomo congratulated Mr. Baker and the HOF Team on their presentation; however, he believes they're the "big ball" rolling down the highway and Council and the Administration are just the little pebbles in the way. He said the pebbles represent the City and the people of Canton and he hopes all the pebbles don't get run over. James Parker agreed with Mr. DiGiacomo's pebble analogy. He also thought his public speaks record had been changed and said he's checked the Ohio Auditor's website regarding open training of public records and hope all elected officials and the Clerk are up to date on their training requirements. He asked President Schulman to follow up on this so meetings are properly conducted. Mr. Parker also spoke about Ordinance 12 and asked President Schulman to discuss with Member Smith, if this could be applied to the blighted playground on Alan Page Drive. He's concerned about the city taking too much of the HOF Village income taxes because he believes the HOF is the new savior of the community.

**INFORMAL RESOLUTIONS:** None

**COMMUNICATIONS:**

- |      |                            |  |
|------|----------------------------|--|
| 445. | AUDITOR MALLONN:           | REQ FOR ADDT'L AMENDED CERT DATED 11/30/16. - RECEIVED & FILED   |
| 446. | AUDITOR MALLONN:           | MTHLY RPT BY FUND 11/1/16 THRU 11/30/16. - RECEIVED & FILED  |
| 447. | AUDITOR MALLONN:           | YRLY RPT BY FUND 1/1/16 THRU 11/30/16 - RECEIVED & FILED.  |
| 448. | AUDITOR MALLONN:           | REQ \$18,285.00 SUPP APPROP FR UNAPPROP BAL - 3011 GENERAL OBLIGATION DEBT TO 3011 801001 GENERAL OBLIGATION DEBT - OTHER (CONT'D OPER AND ACCT'G FOR DEBT SERV PAYMENT REQUIREMENTS). - FINANCE COMMITTEE   |
| 449. | FINANCE DIRECTOR CROUSE:   | RECOMMENDATIONS FOR TEMP BUDGET APPROP FOR 2017; REQ LAW DEPT TO PREPARE LEGISLATION ALLOWING PASSAGE OF TEMP BUDGET PRIOR TO END OF 2016. - FINANCE COMMITTEE   |
| 450. | FINANCE DIRECTOR CROUSE:   | AMEND APPROP O#44/2016 (\$51,000.00 APPROP TRF FR 1001 101501 CODE ENFORCEMENT - OTHER TO 1001 506001 COMMUNITY DEVELOPMENT - PERSONNEL - \$25,600.00, TO 1001 501001 MAYOR - PERSONNEL - \$9,400.00, TO 1001 504010 INFORMATION TECHNOLOGY - PERSONNEL - \$16,000.00; \$17,850.00 APPROP TRF FR 2111 104010 TRAFFIC SIGN AND PAINT - PERSONNEL TO 2111 104001 TRAFFIC ENGINEER - PERSONNEL - \$17,000.00, TO 2111 202020 URBAN FORESTRY - PERSONNEL - \$850.00) (FOR DEPTS TO MEET 2016 BUDGET REQUIREMENTS). - FINANCE COMMITTEE   |
| 451. | LAW DIRECTOR MARTUCCIO:    | REQ AUTHORIZATION TO PREPARE NECESSARY LEGISLATION ON BEHALF OF ADMIN TO RENEW SID LEVY (OR OPERATING ASSESSMENT) FOR 5 YRS. - DOWNTOWN DEVELOPMENT COMMITTEE  |
| 452. | LIQUOR CONTROL DIV (OHIO): | REQ STOCK TRAN OF D1 D2 D3 D3A FOR LUCCA RESTAURANT LLC DBA LUCCA @ 228 4 <sup>TH</sup> ST NW. - RECEIVED & FILED  |
| 453. | SERVICE DIRECTOR BARTOS:   | REQ RESOLUTION DECLARING INTENT OF CITY TO APPROPRIATE ESTATES AND/OR INTERESTS IN PROP DESCRIBED IN EXHIBIT A, FOR PURPOSES ALSO DESCRIBED IN SAID EXHIBIT, IN FURTHERANCE OF CONSTRUCTION OF MAHONING RD NE CORRIDOR PROJ, PHASE 2, GP 1103 (PROJ), AND IN ACCORD WITH PLANS ON FILE IN ENGINEER'S OFC; AUTHORIZE MAYOR AND/OR SERV DIR, OR DESIGNEE, TO MAKE MINISTERIAL CHANGES TO DOCS RELATED TO PROJ BY CORRECTING NUMERICAL, DESCRIPTIVE, OR TYPOGRAPHICAL ERRORS THAT MAY OCCUR, INCLUDING ERRORS RELATED TO PROP OWNERS NAMES AND PARCEL NUMBERS. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES |

**COMMUNICATIONS CONTINUED:**

454. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR, SERV DIR AND LAW DIR, OR DESIGNEES, TO ENGAGE IN ALL OFFICIAL ACTIONS NECESSARY TO APPROP ESTATES AND/OR INTERESTS IN PROP DESCRIBED IN EXHIBIT A, FOR PURPOSES ALSO DESCRIBED IN SAID EXHIBIT, IN FURTHERANCE OF CONSTRUCTION OF MAHONING RD NE CORRIDOR PROJ, PHASE 2, GP 1103 (PROJ), AND IN ACCORD WITH PLANS ON FILE IN ENGINEER'S OFC; AUTHORIZE MAYOR AND/OR SERV DIR, OR DESIGNEE, TO MAKE MINISTERIAL CHANGES TO DOCS RELATED TO PROJ BY CORRECTING NUMERICAL, DESCRIPTIVE, OR TYPOGRAPHICAL ERRORS THAT MAY OCCUR, INCLUDING ERRORS RELATED TO PROP OWNERS NAMES AND PARCEL NUMBERS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

- 1<sup>ST</sup> RDG 1. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (CITYWIDE: 3000 BLOCK OF KASPER ST NE - WARD 6 - PARCEL NO. 306265 FR R-1A (SINGLE FAMILY RESIDENTIAL) TO R-3 (GARDEN & TOWNHOUSE APARTMENT DISTRICT); 9<sup>TH</sup> ST. SW & CAMDEN AVE SW - WARD 5 - PARCEL NOS. 205703, 244602, 208263, 214865, 204900, 205706, AND 205699 FR I-1 (LIGHT INDUSTRIAL DISTRICT) TO R-4 (MULTI-FAMILY RESIDENTIAL DISTRICT); 600 BLOCK OF LINWOOD AVE. SW, WARD 3 - PARCEL NOS. 214110, 214111, 214112, 214113, 214114, 241785, 218240, AND 218241 FR R-1A (SINGLE FAMILY RESIDENTIAL) AND B-3 (GENERAL BUSINESS DISTRICT) TO R-4 (MULTI-FAMILY RESIDENTIAL DISTRICT) **PUB HRG 12/19/16 @ 7:30 P.M.**  
Referred to Judiciary Committee
- 1<sup>ST</sup> RDG 2. PROVIDE FOR ISSUANCE OF NOTE BY CITY OF CANTON IN ANTICIPATION OF COLLECTION AND PAYMENT OF INCOME TAXES, GENERAL PROP TAXES, AND MISC OTHER SOURCES TO THE CITY OF CANTON; DECLARING NECESSITY OF ISSUANCE NOTE PROCEEDS WHICH WILL BE USED FOR PAYMENT OF CURRENT EXPENDITURES AND OPER EXPENSES; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 3. AUTHORIZE MAYOR, AS CEO OF CITY OF CANTON, TO SUBMIT APP TO U.S. DEPT OF HOUSING & URBAN DEV AND TO RECEIVE FUNDS FR THE 2016 ENHANCED ED & OUTREACH PARTNERSHIP GRANT FOR FAIR HOUSING; AUTHORIZE AUDITOR TO CREATE 2217 2016 PARTNERSHIP GRANT FUND; EMERGENCY  
Referred to Community & Economic Development Committee

**(COUNCIL RECESSED AT 7:42 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCES #4 AND #5; RECONVENED AT 7:44 P.M.)**

- 236/2016 4. AMEND APPROP O#44/2016; EMERGENCY (\$4,000.00 APPROP TRF FR 1001 201015 ANNEXATION - OTHER TO 1001 203001 CIVIC CENTER - OTHER)  
Referred to Finance Committee
- 237/2016 5. AMEND APPROP O#44/2016; EMERGENCY (\$4,500.00 SUPP APPROP FR UNAPPROP BAL OF 2776 POLICE DONATION FUND TO 2776 102001 POLICE DEPARTMENT - OTHER)  
Referred to Finance Committee

**(COUNCIL RECESSED AT 7:45 P.M. FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #6; RECONVENED AT 7:50 P.M.)**

- 238/2016 6. AUTHORIZE AUDITOR TO PAY MORAL OB TO COMMERCIAL & RESIDENTIAL SERVS GENERAL CONTRACTING CO. LLC; EMERGENCY (\$21,800.00 EMERG DEMO WORK @ 613 ALEXANDER PLACE N.E.)  
Referred to Community & Economic Development and Finance Committees

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**

**(SUSPENDED RULE 22A TO ADD 2<sup>ND</sup> RDG O#7 - O#11)**

- 2<sup>ND</sup> RDG 7. AMEND APPROP O#44/2016; EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BALANCE OF 6010 801001 WORKERS COMP RETRO FUND TO 6010 801001 WORKERS COMP RETRO - OTHER) (CONT'D OPER OF ACCT'G FOR INTERNAL WORKERS COMP RETRO CLEARING ACCT) (FIN)
- 2<sup>ND</sup> RDG 8. AMEND APPROP O#44/2016; EMERGENCY (\$20,000.00 APPROP TRF FR 1001 801010 AUDITOR LEGALLY BINDING EXP. FUND - OTHER TO 1001 801001 AUDITOR ADMINISTRATION - OTHER) (CONT'D OPER OF ACCT'G FOR AND FUNDING GENERAL FUND ACCT) (FIN)
- 2<sup>ND</sup> RDG 9. AMEND APPROP O#44/2016; EMERGENCY (\$25,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102020 POLICE DETECTIVE BUREAU FOR \$20,000.00 & TO 1001 102080 POLICE TRAFFIC DIVISION FOR \$5,000.00; \$11,585.00 SUPP TRF FR 1001 506001 COMMUNITY DEVELOPMENT - OTHER TO 1001 506001 COMMUNITY DEVELOPMENT - PERSONNEL) (FIN)
- 2<sup>ND</sup> RDG 10. AMEND RESOLUTION #144/2015 (INCLUDE FIRST COMMONWEALTH & WESTFIELD BANKS AMONG CITY'S DESIGNATED DEP THRU 5/2020) (FIN)

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

- 2<sup>ND</sup> RDG 11. AMEND FOLLOWING SECTIONS OF CODIFIED ORDINANCES OF CITY OF CANTON: 125.02, NONPAYMENT CHECKS; 181.05(G) RETURN AND PAYMENT OF TAX; REFUND; 182.03 DEFINITIONS; 182.051 COLLECTION AT SOURCE; WITHHOLDING FR QUALIFYING WAGES; 182.053 COLLECTION AT SOURCE; CASINO AND VLT; 182.062 NET PROFIT; INCOME SUBJECT TO NET PROFIT TAX; ALTERNATIVE APPORTIONMENT; 182.09 ANNUAL RETURN; 182.14 CONFIDENTIALITY; 185.08 RETURNS REQUIRED; 1311.04 REQUIREMENTS FOR HOME IMPROVEMENT CONTRACTOR'S LICENSE; 1313.04 REQUIREMENTS FOR ELECTRICAL CONTRACTOR'S LICENSE; FEE; 1315.06 REQUIREMENTS FOR PLUMBING CONTRACTOR'S LICENSE; 1317.06 REQUIREMENTS FOR HVAC/R CONTRACTOR'S REGISTRATION; FEE; 1319.03 LICENSE AND BOND REQUIREMENTS; 1321.03 TELECOMMUNICATIONS CONTRACTOR'S LICENSE REQUIRED; EMERGENCY (JUD)

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

- 239/2016 12. 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

**POSTPONED TO 12/12/16**

13. 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.**
- 240/2016 14. 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
- 241/2016 15. 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)
- 242/2016 16. 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)
- 243/2016 17. 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)
- 244/2016 18. APPROVE AND ACCEPT REPLATTING OF ALL OF LOTS 13648 AND 13649; EMERGENCY (300 BLOCK OF WEBSTER, WARD 4, HABITAT FOR HUMANITY)
- 245/2016 19. 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

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, December 12, 2016 in Council Caucus Room at 6:00 PM**

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

**FINANCE PRESENTATION****MISCELLANEOUS BUSINESS:** None**ADJOURNMENT:** 8:10 P.M.**NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, DECEMBER 12, 2016 @ 7:30 PM**