

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

JANUARY 23, 2017

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Mack Absent

INVOCATION: Greg Hawk, Ward 1 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#6; add 2nd Rdg O#7, O#9 - O#16; O#8 Retained in Committee; O#6 Adopted on 1st Reading)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Eric Resnick spoke about the tax provision in the TDD which would allow a sales tax on Canton City School events. He said the Board Of Education hasn't taken any action but individual members have expressed concerns. They believe there is a burden already placed on Canton City and Plain Local families. The School Board and Council have already approved a 30 yr. TIF, which is approximately a 5.8 million dollars loss over the 30 yr. period. The school would lose money not only on football games, but also basketball and swimming which are held in the Field House and Natatorium. All of these are inside the TDD. James Parker spoke about the development of Market Square and asked what Canton's mission statement is. He said it wasn't clear on the City's website and believes it should be made more clear like the Hall of Fame's mission statement. He said the Renkert Bldg. should be the North Star of downtown, not the Kresge Lot and thinks there's a general failure to communicate. Pastor C. David Morgan thinks the core of the city is the Canton City School District and the families with children who attend the school. Currently 2/3 of the city's household have no one under the age of 18 living in them. He said developing affordable housing that would attract middle income people with children who go to school, to this area, should be a priority for the city or the city will lose its tax base.

INFORMAL RESOLUTIONS:

6. COUNCIL-AS-A-WHOLE: COMMENDING STATE REP - 49TH OHIO HOUSE DISTRICT, THOMAS WEST, FOR HIS YEARS OF PUBLIC SERVICE. - ADOPTED
7. COUNCIL-AS-A-WHOLE: COMMENDING JULIE SPARKS FOR HER CONTRIBUTIONS TO THE MAHONING ROAD CORRIDOR INFRASTRUCTURE AND STREETScape PROJECT. - ADOPTED
8. COUNCIL PRES SCHULMAN: CONFIRMING APPTS OF MAYOR OR MAYOR'S DESIGNEE AND CHAIRMAN OF FINANCE COMMITTEE AS MEMBERS OF JOINT DEVELOPMENT COMMITTEE. - ADOPTED
9. PERSONNEL COMMITTEE: CONFIRMING MAYOR'S RE-APPT OF MR. DAVID GRABOWSKI AS HVAC CONTRACTOR TO CANTON CONSTRUCTION BOARD FOR 3 YR TERM COMMENCING 1/1/17 THRU 12/31/19. - ADOPTED
10. PERSONNEL COMMITTEE: CONFIRMING MAYOR'S RE-APPT OF MR. DAVE KIRVEN AS PLUMBING JOURNEYMAN TO CANTON CONSTRUCTION BOARD FOR 3 YR TERM COMMENCING 1/1/17 THRU 12/31/19. - ADOPTED
11. PERSONNEL COMMITTEE: CONFIRMING MAYOR'S RE-APPT OF MR. JOSEPH FRIEDMAN AS HVAC CONTRACTOR TO CANTON CONSTRUCTION BOARD FOR 3 YR TERM COMMENCING 1/1/17 THRU 12/31/19. - ADOPTED
12. PERSONNEL COMMITTEE: CONFIRMING MAYOR'S RE-APPT OF MS. DEBORAH SHAMLIN TO FAIR EMPLOYMENT PRACTICES BOARD FOR 3 YR TERM COMMENCING 1/1/17 THRU 12/31/19. - ADOPTED
13. PERSONNEL COMMITTEE: CONFIRMING MAYOR'S RE-APPT OF DR. STEPHEN HICKMAN TO HEALTH BOARD FOR 5 YR TERM COMMENCING 4/1/17 THRU 3/31/22. - ADOPTED

COMMUNICATIONS:

22. AUDITOR MALLONN: CERTIFICATE OF TOTAL AMT FR ALL SOURCES FOR 2017. - RECEIVED & FILED
23. COUNCIL MBR SCAGLIONE: REQ LEGISLATION GIVING CHIEF BUILDING OFFICIAL AUTHORITY TO HAVE DESIGNEE TAG ILLEGALLY PARKED AND/OR ABANDONED VEHICLES IN THE CITY. - JUDICIARY COMMITTEE

COMMUNICATIONS CONTINUED:

24. DEPUTY MAYOR WILLIAMS: ESTABLISH AND DESIGNATE BOUNDARIES OF PROPOSED DOWNTOWN REDEVELOPMENT DISTRICT, NOT TO EXCEED TEN (10) CONTIGUOUS ACRES; APPROVE ECONOMIC DEVELOPMENT PLAN FOR PROPOSED DRD; PURSUANT TO ORC SEC 5709.41, 5709.42 AND 5709.43, DECLARE AN IMPROVEMENT TO ONE OR MORE PARCELS OF REAL PROP LOCATED IN DISTRICT TO BE A PUBLIC PURPOSE, EXEMPTING IT FR REAL PROP TAXATION FOR DESIGNATED PERIOD, PROVIDE FOR MAKING OF SERVICE PAYMENTS IN LIEU OF TAXES BY OWNER OR OWNERS OF THE EXEMPTED PROP, REQUIRE MUNICIPALITY TO ESTABLISH AN URBAN REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND INTO WHICH SERVICE PAYMENTS SHALL BE DEPOSITED, PROVIDE FOR AND DIRECT USE OF THOSE SERVICE PAYMENTS; PURSUANT TO ORC SEC 5709.40 AND 5709.41, THAT COUNCIL FINDS AND DETERMINES THAT IMPROVEMENTS TO PARCELS WITHIN THE DOWNTOWN REDEVELOPMENT DISTRICT BE EXEMPTED UP TO 70% FOR TEN (10) YEARS WITHOUT SCHOOL DISTRICT APPROVAL; OR UP TO 70% FOR THIRTY (30) YEARS WITH EITHER (A) SCHOOL DISTRICT APPROVAL OR (B) SERVICE PAYMENTS TO SCHOOL DISTRICT(S) EQUAL TO TAXES EXEMPTED; ESTABLISH AND DESIGNATE BOUNDARIES OF PROPOSED INNOVATION DISTRICT; WHICH SHALL BE IDENTICAL WITH BOUNDARIES OF DOWNTOWN REDEVELOPMENT DISTRICT AND SHALL CONTAIN SAME PROP OWNERS AND PARCELS; APPROVE ECONOMIC DEVELOPMENT PLAN FOR PROPOSED INNOVATION DISTRICT; SCHEDULE PUB HRG ON ORDINANCE AS REQUIRED BY AMENDED SUB HB233, AT LEAST 30 DAYS BEFORE A VOTE TO ADOPT THE ORDINANCE, WITH REQUISITE NOTICE TO ALL AFFECTED PROP OWNERS; EMERGENCY. - COMMUNITY & ECONOMIC DEVELOPMENT AND DOWNTOWN DEVELOPMENT COMMITTEE
25. FINANCE DIR CROUSE: AMEND APPROP O#257/2016 (\$20,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 102001 POLICE ADMIN - OTHER) TO REPLACE BULLETPROOF VESTS FOR CPPA AND FOP; EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
26. FINANCE DIR CROUSE: AMEND APPROP O#257/2016 (\$8,353,850.00 SUPP APPROP FR UNAPPROP BAL OF 4581 12TH ST BRIDGE REPL FUND TO 4581 202091 12TH ST BRIDGE REPL - OTHER, \$273,297.00 FR UNAPPROP BAL OF 2113 MUNICIPAL ROAD FUND TO 2113 202091 12TH ST BRIDGE REPL - OTHER) TO RE-CREATE APPROPS ESTABLISHED WITH O#200/2016 AND ALLOW FOR CHANGE TO TEMP BUDGET; EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
27. LAW DIR MARTUCCIO: REQ AUTHORITY TO PREPARE ORDINANCE APPROVING EDITING AND INCLUSION OF CERTAIN ORDINANCES ADOPTED FR DECEMBER 3, 2015 TO DECEMBER 31, 2016, TO BE INCORPORATED INTO CODIFIED ORDINANCES OF CITY OF CANTON. - JUDICIARY COMMITTEE
28. MAYOR BERNABEI: LTR ADVISING OF APPTS TO CANTON COMMUNITY IMPROVEMENT CORPORATION (CCIC): MAYOR BERNABEI, CHRIS SMITH , TOM HARMON, AND FONDA WILLIAMS FOR TERM EX-OFFICIO; ALLEN SCHULMAN, MICHAEL GILL, JOHN MARIOL, EMIL ALECUSAN, ROBERT THOMPSON, AND DAVID DOUGHERTY FOR 2 YR TERM COMMENCING 1/18/17 THRU 12/31/18. - RECEIVED & FILED
29. MAYOR BERNABEI: LTR ADVISING OF APPT OF MS. NENYA ROSS TO STARK METROPOLITAN HOUSING AUTHORITY BOARD OF COMMISSIONERS FOR 5 YR TERM COMMENCING 2/1/17 THRU 1/31/22. - RECEIVED & FILED
30. MAYOR BERNABEI: LTR NOTIFYING COUNCIL THAT CITY OF CANTON REC'D \$1,748,091.54 FROM HISTORIC ONESTO LLC IN PAYMENT IN FULL OF OUTSTANDING BAL ON THE \$2 MIL BOND ANTICIPATION NOTE. - RECEIVED & FILED
31. PLANNING COMMISSION: AUTHORIZE REPLAT AND RENUMBERING OF 1012 4TH ST SW BEING PART OF LOTS 6538 & 2460, AKA PARCELS 236323 AND 216763, FOR HABITAT FOR HUMANITY, IN WARD 4. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
32. PLANNING COMMISSION: AUTHORIZE REPLAT OF LOTS 22429 AND 22430, AKA PARCELS 232785 AND 232786, LOCATED @ 2222 8TH ST NE, FOR HABITAT FOR HUMANITY, IN WARD 4. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
33. SERVICE DIR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT WITH CTI ENGINEERS, INC; MAKE \$19,189.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206319 13TH ST NW LIFT STATION ELECTRICAL PANEL REPLACEMENT, GP 1254-OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (PUMPING STATION @ 2412 13TH ST NW). - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

34. SERVICE DIR BARTOS: DECLARE PARCELS OF CITY OWNED PROP TO BE VACATED; DECLARE INTENT OF COUNCIL TO SELL PROP; AUTHORIZE MAYOR, SERV DIR AND/OR DESIGNEE, ON BEHALF OF COUNCIL, TO GIVE NOTICE OF INTENT TO SELL PROP; AUTHORIZE MAYOR AND/OR SERV DIR TO SELL PROP; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL PROF SERV CONTRACTS, INCLUDING BUT NOT LIMITED TO CONTRACT(S) WITH ONE OR MORE PROF AUCTIONEERS, TO EXECUTE SALE OF PROP; RETROACTIVELY AUTHORIZE ANY ACTIONS ALREADY TAKEN IN FURTHERANCE OF SALE OF PROP; EMERGENCY (200 ECONOMY CT. NE - PARCEL #281969, 252 LAWN AVE SW - PARCEL #281827, 1030 LAWN AVE SW - PARCEL #281829, 740 MARION AVE SW - PARCEL #281813, WAYNESBURG DR. SE - PARCEL #1380091). - PARKS & RECREATION AND FINANCE COMMITTEES
35. SERVICE DIR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF ONE (1) CATERPILLAR 926M WHEEL LOADER AND (1) CARGO VAN; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR THE PURCH OF SAID ITEMS IN ACCORD WITH ANY COOP PURCHASING PROG OR PROCUREMENT PROCEDURE AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
36. SERVICE DIR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH TASOS ELECTRIC COMPANY, INC. FOR STORM SEWER CONNECTION AND PRIVATE DRAINAGE EASEMENT; EMERGENCY. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
37. SERVICE DIR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR AND/OR CANTON BOARD OF PARK COMMISSIONERS TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY FOR CONSTRUCTION OF PIONEER TRAIL; AUTHORIZE MAYOR AND/OR SERV DIR AND/OR CANTON BOARD OF PARK COMMISSIONERS TO ENTER INTO CO-OP AGMT WITH STARK PARKS FOR CONSTRUCTION OF PIONEER TRAIL; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH MALONE UNIVERSITY, OR ASSOCIATED ENTITY, FOR EASEMENT REQUIRED FOR PIONEER TRAIL; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PARKS & RECREATION COMMITTEE
38. TREASURER PEREZ: RPT OF PARKING METER REV FOR DECEMBER 2016. - RECEIVED & FILED
39. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX FOR DECEMBER 2016. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. APPROVE STATEMENT OF SERVS BE PROVIDED TO PROP OWNER IN HOF VILLAGE #3 ANNEXATION AREA, APPROX DATE SERVS WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO CITY OF CANTON; EMERGENCY
Referred to Annexation Committee
- 1ST RDG 2. AMEND APPROP O#257/2016; EMERGENCY (\$10,500.00 APPROP TRF FR 2760 102001 FEDERAL FORFEITURE FUND - OTHER TO 2760 102001 FEDERAL FORFEITURE FUND - PERSONNEL)
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZE MAYOR OR SERV DIR TO MAKE APPLICATION FOR AND ACCEPT FUNDS FR OHIO HOUSING FINANCE AGENCY FOR NEIGHBORHOOD INITIATIVE PROG; TO DEMOLISH AND MAINTAIN ACQUIRED, BLIGHTED PROP; TO ENTER INTO VARIOUS CONTRACTS AND CO-OP AGMTS WITH VARIOUS ENTITIES TO EFFECTIVELY ADMINISTER PROG; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 4. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$21,323.00 TO C.R.S. GENERAL CONTRACTING; EMERGENCY (DEMO 617/619 CHERRY AVE NE)
Referred to Finance Committee
- 1ST RDG 5. AMEND APPROP O#257/2016; EMERGENCY (\$234,600.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARK OPERATING FUND TO 2530 401040 J BABE STEARN CENTER - OTHER - \$76,000.00; TO 2530 401045 EDWARD PEEL COLEMAN CENTER - OTHER - \$136,600.00; TO 2530 401060 SPECIAL PARKS - OTHER - \$22,000.00)
Referred to Finance Committee

(COUNCIL RECESSED AT 8:06 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS O#6; RECONVENED AT 8:07 P.M.)

- 9/2017 6. AUTHORIZE AUDITOR TO PAY MORAL OB TO J. BABE STEARN COMMUNITY CENTER IN AMT NOT TO EXCEED \$28,676.00; EMERGENCY (2016 CERTIFIED LEVY REVENUES)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#7, O#9 - O#16; O#8 RET'D IN CMTE)

- 2ND RDG 7. AUTHORIZE CREATION OF POSITION OF DIR OF PLANNING AS CABINET-LEVEL POSITION UNDER MAYOR, AS RECOMMENDED BY STEERING COMMITTEE FOR IMPLEMENTATION OF COMPREHENSIVE PLAN; EMERGENCY
Referred to Personnel Committee
- RETAINED IN CMTE**
- 2ND RDG 8. EXPRESS INTENT OF COUNCIL TO RECEIVE ANNUAL PAYMENTS FR STARK CO AND STARK AREA REGIONAL TRANSIT AUTHORITY EQUAL TO INCREMENTAL SALES TAX GROWTH FR VENDORS LOCATED WITHIN PREVIOUSLY ESTABLISHED TOURISM DEVELOPMENT DISTRICT, PURSUANT TO SEC 5739.213 OF ORC; EMERGENCY
Referred to Community & Economic Development Committee
- 2ND RDG 9. AMEND TITLE NINE OF CANTON CITY TAX CODE TO ESTABLISH CHAPTER 187 ADMISSIONS TAX, OF FIVE PERCENT IN AREA OF CITY DESIGNATED AS TOURISM DEVELOPMENT DISTRICT IN SUPPORT OF REDEVELOPMENT ACTIVITIES WITHIN AREA OF CITY DESIGNATED AS TOURISM DEVELOPMENT DISTRICT AND IN SUPPORT OF HOF VILLAGE REDEVELOPMENT PROJ; EMERGENCY
Referred to Judiciary and Community & Economic Development Committees
- 2ND RDG 10. ESTABLISH SPECIAL FUND TO BE DESIGNATED AS "HOFV FUND"; EMERGENCY (TOURISM DEVELOPMENT DISTRICT)
Referred to Community & Economic Development Committee
- 2ND RDG 11. AMEND SEC 185.14 OF ADMINISTRATIVE CODE OF CANTON CITY CODIFIED ORDINANCES TO AUTHORIZE REALLOCATION OF EXISTING TRANSIENT LODGING TAX FUNDS TO SUPPORT REDEVELOPMENT OF HOF VILLAGE IN CONNECTION WITH CANTON'S TOURISM DEVELOPMENT DISTRICT; EMERGENCY
Referred to Judiciary and Community & Economic Development Committees
- 2ND RDG 12. FOSTER AND DEVELOP TOURISM IN AREA OF CANTON DESIGNATED AS TOURISM REDEVELOPMENT DISTRICT, PURSUANT TO ORC SEC 715.014(D) AND 5739.101, LEVYING TAX ON PRIVILEGE OF ENGAGING IN BUSINESS OF MAKING CERTAIN TYPES OF SALES IN TOURISM DEVELOPMENT DISTRICT; EMERGENCY
Referred to Community & Economic Development Committee
- 2ND RDG 13. AUTHORIZE ROLLIN SEWARD, CD DIR, TO RECEIVE 10 DAYS VACATION PER YR BEGINNING 2017, UNTIL HIS CITY ACCRUED TIME CORRELATES WITH APPLICABLE CITY VACATION SCHEDULE; EMERGENCY
Referred to Personnel Committee
- 2ND RDG 14. AUTHORIZE PARKS & REC DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ANY AND ALL CONTRACTS FOR PURCH OF (1) RESTROOM UNIT IN AMT NOT TO EXCEED \$70,000.00; OR ALTERNATIVELY PURCH SAID UNIT PURSUANT TO ANY CO-OP PURCH AGMT OR PURCH PROCESS AUTHORIZED BY LAW; EMERGENCY
Referred to Public Property Capital Improvement and Parks & Recreation Committees
- 2ND RDG 15. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (CITY WIDE, HARVARD AVE NW - AT RT 62, 1525 HENRY AVE SW, 4TH ST & WARNER RD NE, BELLFLOWER AVE SW & W TUSC) (CITY-WIDE ZONING) **PUB HRG 1/30/17 @ 7:30 P.M.**
Referred to Judiciary Committee
- 2ND RDG 16. AUTHORIZE SAFETY DIR TO MAKE APPLICATION FOR 2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN TOTAL AMT NOT TO EXCEED \$73,145.00 AND ACCEPT CITY'S PORTION OF FUNDS IN AMT NOT TO EXCEED \$36,572.50; AUTHORIZE AUDITOR TO RENAME FUND 2770 TO 2016 LOCAL SOLICITATION BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT; AMEND APPROP O#257/2016; EMERGENCY (\$36,572.50 SUPP APPROP FR UNAPPROP BAL OF 2770 2016 LOCAL SOLICITATION BYRNE GRANT FUND TO 2770 102001 POLICE ADMIN - OTHER)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE: None

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, January 30, 2017 in Council Caucus Room at 6:45 PM

- 1.) Finance Committee
- 2.) Community & Economic Development Committee
- 3.) Annexation Committee

MISCELLANEOUS BUSINESS: Member Smuckler discussed Com #30 and stated that in 2014 Council loaned two million dollars to Steve Coon, for ten years. Mr. Coon has paid the money back, in full, in only 3 years. Mr. Coon paid another year's interest because he let it go another month and the money can now be used for the Hercules bond in April. He said Mr. Coon has been the cog in the redevelopment of downtown and deserves credit for paying the loan back so soon. Member Mariol said that when the Onesto development idea came to Council, people believed that it would not be successful. It has proven to be a success. The Bliss Tower and Hercules are now under development and he hopes for more to come. He believes downtown development is working in the city of Canton and believes that we should continue to look at and invest in these projects. Member Hawk thinks this proves Council used very good judgement. They asked for a personal guarantee from Mr. Coon and received it. He also stated that President Schulman has also invested in the development of the downtown area by keeping his law offices downtown in the Carnegie Bldg which held the old Public Library. These are the kinds of things that keep the city growing. Member Morris thanked Mr. Resnick, of the Canton City School Board, for bringing up the point about the Field House and the Natatorium. He told the Law Director that he would like an answer as soon as possible regarding whether the school system is going to be exempt. If they are not, he would like an amendment to the legislation that clearly states that any school system that has children living within the city of Canton, are exempt from these taxes for any athletic or other function within the school system's property in this district. Whether it be a swim meet, a basketball game, or a football game, he doesn't believe that out students, their families, teachers, and the people in this community that support the schools, should be required to pay an admissions, parking or 2% tax on anything in support of their children who are going to the schools.

ADJOURNMENT: 8:16 P.M.