

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

JANUARY 30, 2017

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Nate Chester III, Ward 2 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#11; 2nd Rdg O#13 - O#17; O#11 Adopted on 1st Rdg; O#12 Retained in Committee Indefinitely; O#19, O#20, O#21 & O#22 Postponed until February 6, 2017)

PUBLIC HEARINGS:

7:30 P.M. AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; (HARVARD AVE NW AT RT 62, FROM CS (COMMUNITY SERVICE) TO R-4 (MULTI-FAMILY RESIDENTIAL) IN WARD 7; 1525 HENRY AVE SW, FROM R-1 (SINGLE FAMILY RESIDENTIAL, 8,000 SQ FT) TO R-1A (SINGLE FAMILY RESIDENTIAL, 6,000 SQ FT) IN WARD 5; 4TH ST NE AND WARNER RD NE FROM R-1A (SINGLE FAMILY RESIDENTIAL, 6,000 SQ FT) TO OS (OPEN SPACE) IN WARD 4; BELLFLOWER AVE SW & W TUSCARAWAS ST FROM PB-3 (PLANNED GENERAL BUSINESS) AND R-4 (MULTI-FAMILY RESIDENTIAL) TO B-3 (GENERAL BUSINESS) IN WARD 3; PLANNING COMMISSION RECOMMENDED APPROVAL (NO SPEAKERS) **O#14/2017**

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Patricia Kirk spoke about the Kresge lot (Market Square). She does not believe the plans for the Kresge lot is what the central part of Canton needs. A fountain on the end of a fire escape tower will not help the City. The plot is only the size of a postage stamp, and is the only piece of ground the City has left. There is nothing for the children in the City, except for the gorilla and duck erected for children to climb on. Downtown Central Neighborhood Association has invested money in the Kresge lot for landscaping, planting and weeding, and while the City does mow, they do nothing else. People coming to Canton want to see art, what's available for children, and what local people have done. She urges Council not to destroy this piece of ground. Pete DiGiacomo asked Council to hold Ordinance #11 regarding the Pioneer Trail until they get some things worked out. He fears there may be accidents because people using the bicycle lane will still be riding around cars on the road. He does not want to see this end up like Walnut Avenue, and urges Council to look into it more thoroughly before moving forward. James Parker spoke about the Kresge Lot (Market Square). He doesn't feel the proposed rendition of a football meets the proper dimensions. He mentions that the \$100 thousand worth of flag poles in Central Plaza again have no flags to decorate it, which is the City's responsibility. He feels the heros of football, the Canton Bulldogs, with team members such as James Thorpe, should be recognized. James Thorpe is a legend of mythical proportion, who could drop kick a hundred yards. He urges the city of Canton to celebrate the heros of the game, celebrate excellence everywhere, and preserve their memories.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

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| 40. | AUDITOR MALLONN: | REQ AUTHORIZATION TO ENTER INTO ADDITIONAL (3) YR AGMT WITH JULIAN & GRUBE, INC IN AMT OF \$25,400 ANNUALLY COVERING 2016, 2017 AND 2018 AUDIT PERIODS. - FINANCE COMMITTEE |
| 41. | FINANCE DIRECTOR CROUSE: | REQ \$27,600.00 INTER-FUND TRF FR 1001 GENERAL FUND TO 1105 POLICE SETTLEMENT FUND FOR SETTLEMENT AGMT WITH BOBBY JO WRIGHT. - FINANCE COMMITTEE |
| 42. | COUNCIL MBR SCAGLIONE: | REQ AMENDMENTS TO CHAPTER 1352 OF THE CODIFIED ORDINANCES TO CLARIFY SEVERAL TIMELINES AND NUMERICAL REFERENCES. - JUDICIARY COMMITTEE |
| 43. | LAW DIRECTOR MARTUCCIO: | AUTHORIZE MAYOR OR SERV DIR TO ACCEPT JOINT ECONOMIC DEVELOPMENT DISTRICT AGMT (JEDD) IN SPECIFIC VACANT, COMMERCIAL AREA IN JACKSON TWP KNOWN AS DISTRICT FP. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE |
| 44. | SERVICE DIRECTOR BARTOS: | AUTHORIZE MAYOR AND/OR SERV DIR, OR THEIR DESIGNEES, TO NEGOTIATE AND ENTER INTO AGMTS FOR SALE OR DONATIONS OF CITY-OWNED PROPERTY FOR PERMANENT RD RIGHT-OF-WAY AND TEMP CONSTRUCTION EASEMENTS TO ODOT NECESSARY FOR MIDDLEBRANCH AND 30 TH ST RECONFIGURATION, PID 96346; AUTHORIZE MAYOR AND/OR SERV DIR, OR THEIR DESIGNEES, TO MAKE MINISTERIAL CHANGES TO CORRECT PROPERTY OWNER NAMES, PARCEL NUMBERS, AND OTHER NUMERICAL DESCRIPTIVE OR TYPO ERRORS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC SAFETY & THOROUGHFARES & FINANCE COMMITTEES |
| 45. | SERVICE DIRECTOR BARTOS: | AUTHORIZE AUDITOR TO PAY \$62,360.67 MORAL OB TO CARGILL, INC. FOR ROAD SALT; AUTHORIZE AUDITOR TO PAY \$4,647.82 MORAL OB TO DRS SERVICES, INC. FOR ROAD SALT CONVEYANCE; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE |

COMMUNICATIONS CONTINUED:

46. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SRVS CONTRACT WITH DUBLIN TECHNOLOGIES, INC. FOR UPGRADE OF WATER DEPT'S SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM; AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF COMPUTERS, LAPTOPS, SOFTWARE LICENSES, AND MISC ASSOCIATED ITEMS REQUIRED FOR UPGRADE OF SAID SYSTEM; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR PURCH OF SAID ITEMS IN ACCORDANCE WITH ANY COOP PURCH PROG OR PROCUREMENT PROCEDURE AUTHORIZED BY LAW; REQ \$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207012 - WATER PUMPING MAINTENANCE - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND APPROP O#257/2016; EMERGENCY (\$20,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 102001 POLICE ADMIN - OTHER)
Referred to Public Property Capital Improvement & Finance Committees
- 1ST RDG 2. AMEND APPROP O#257/2016; EMERGENCY (\$8,353,850.00 SUPP APPROP FR UNAPPROP BAL OF 4581 12TH ST BRIDGE REPLACEMENT FUND TO 4581 202091 12TH ST BRIDGE REPLACEMENT - OTHER; \$273,297.00 SUPP APPROP FR UNAPPROP BAL OF 2113 MUNICIPAL ROAD FUND TO 2113 202091 12TH ST BRIDGE REPLACEMENT - OTHER)
Referred to Public Property Capital Improvement and Finance Committees
- 1ST RDG 3. AUTHORIZE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF VARIOUS COMPONENT CODES OF CODIFIED ORDINANCES OF CANTON, OH; EMERGENCY (O#'S 48/2016, 59/2016, 86/2016, 101/2016, 111/2016, 136/2016 & 252/2016; TRAFFIC CODE SEC'S 501.04, 505.071, 529.01 & 529.03)
Referred to Judiciary Committee
- 1ST RDG 4. AUTHORIZE LAW DIR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF 2016 SUPPLEMENT TO CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR SALE OF SAME; EMERGENCY
Referred to Judiciary Committee
- 1ST RDG 5. APPROVE AND ACCEPT REPLATTING AND RENUMBERING OF PART OF LOTS 6538 AND 2460; EMERGENCY (HABITAT FOR HUMANITY, 1012 4TH ST SW, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 6. APPROVE AND ACCEPT REPLATTING OF LOTS 22429 AND 22430; EMERGENCY (HABITAT FOR HUMANITY, 2222 8TH ST NE, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 7. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SRVS CONTRACT WITH CTI ENGINEERS, INC. FOR 13TH ST NW LIFT STATION ELECTRICAL PANEL REPLACEMENT, GP 1254; AMEND APPROP O#257/2016; EMERGENCY (\$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)
Referred to Finance Committee
- 1ST RDG 8. DECLARE VARIOUS PARCELS OF CITY-OWNED PROPERTY TO BE VACATED AND INTENT TO SELL SAID PROPERTIES; AUTHORIZE MAYOR, SERV DIR, OR THEIR DESIGNEE TO GIVE NOTICE OF INTENTION TO SELL SAID PROPERTIES; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SRV CONTRACTS WITH ONE OR MORE PROF AUCTIONEERS NECESSARY TO EXECUTE SALE OF SAID PROPERTIES; EMERGENCY (UNUSED PARK PROP, 200 ECONOMY CT NE, 252 LAWN AVE SW, 1030 LAWN AV SW, 740 MARION AVE SW, WAYNESBURG DR SE)
Referred to Parks & Recreation and Finance Committees
- 1ST RDG 9. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT TO PURCH OF (1) CATERPILLAR 926M WHEEL LOADER AND (1) CARGO VAN; OR TO ALTERNATIVELY PURCH SAID VEHICLES PURSUANT TO ANY COOP PURCH PROG OR PROCUREMENT PROCEDURE AUTHORIZED BY LAW; EMERGENCY (WATER DEPT)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 10. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT WITH TASOS ELECTRIC CO, INC. FOR STORM SEWER CONNECTION AND PRIVATE DRAINAGE EASEMENT; EMERGENCY
Referred to Environmental & Public Utilities Committee

(COUNCIL RECESSED AT 7:47 P.M. FOR THE PARKS & RECREATION COMMITTEE TO DISCUSS O#11; RECONVENED AT 8:13 P.M.)

- 10/2017 11. AUTHORIZE MAYOR, SERV DIR, OR CANTON BD OF PARK COMMISSIONERS TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACT AND COOP AGMT NECESSARY FOR CONSTRUCTION OF PIONEER TRAIL; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT WITH MALONE UNIVERSITY, OR ANY ASSOCIATE ENTITY, FOR AN EASEMENT REQUIRED FOR PIONEER TRAIL; EMERGENCY
Referred to Parks & Recreation Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#13 - O#17; O#12 RET'D IN CMTE INDEFINITELY)

RETAINED IN

- CMTE** 12. 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 (C&ED)
- 2ND RDG** 13. 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 (ANNEX)
- 2ND RDG** 14. 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) (FIN)
- 2ND RDG** 15. 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 (C&ED)
- 2ND RDG** 16. 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) (FIN)
- 2ND RDG** 17. 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) (FIN)

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

- 11/2017** 18. 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

POSTPONED UNTIL 2/6/17

19. 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

POSTPONED UNTIL 2/6/17

20. ESTABLISH SPECIAL FUND TO BE DESIGNATED AS "HOFV FUND"; EMERGENCY (TOURISM DEVELOPMENT DISTRICT)

POSTPONED UNTIL 2/6/17

21. 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

POSTPONED UNTIL 2/6/17

22. 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

- 12/2017** 23. 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

- 13/2017** 24. 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

- 14/2017** 25. 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)

- 15/2017** 26. 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)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, February 6, 2017 in Council Caucus Room at 6:00 PM

- 1) Finance Committee
- 2) Public Property Capital Improvement Committee
- 3) Environmental & Public Utilities Committee
- 4) Parks & Recreation Committee
- 5) Judiciary Committee
- 6) Public Safety & Thoroughfares Committee

BUDGET PRESENTATION

MISCELLANEOUS BUSINESS: None

ADJOURNMENT: 8:53 P.M.