

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

CANTON CITY COUNCIL

APRIL 24, 2017

**ROLL CALL:** Eleven Members Present

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

**INVOCATION:** Greg Hawk, Ward 1 Council Member

**PLEDGE OF ALLEGIANCE:** President Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>st</sup> Rdg O#5 & O#6; 2<sup>nd</sup> Rdg O#7 - O#14; O#5 & O#6 Adopted on 1<sup>st</sup> Rdg; O#20 Adopted as Amended)

**PUBLIC HEARINGS:** None

**OLD BUSINESS (PUBLIC SPEAKS):** Reviewed Pending Issues from Public Speaks of April 17, 2017

**PUBLIC SPEAKS (CITY BUSINESS):** Patricia Kirk mentioned that Malone University was honored by the Ohio Dept. of Natural Resources for their title of Campus Tree City in Canton. Part of the City Bike Trail will go through their campus and she's hoping they don't cut down trees to do this. She thinks bio-diversity should be used to develop the Kresge Lot, which will help control flooding downtown. She said trees are nature's draining system. Pete DiGiacomo thinks Shot Spotter is a good thing. He also believes the City could hire more Police Officers if they didn't give away so much money in grants and stopped giving \$175,000.00 each year to the Chamber of Commerce. Chief Bennett of the Canton Fire Department gave a State of the Union for the Fire Department and spoke about the various events they have sponsored in the City and gave dates for upcoming events. They also gave away 1242 smoke detectors to the students of Canton City School.

**INFORMAL RESOLUTIONS:**

23. PERSONNEL COMMITTEE: REQ RE-APPT OF WILLIAM JONES TO FAIR HOUSING EMPLOYMENT PRACTICES BOARD FR 4/24/17 TO 4/30/20. - ADOPTED

**COMMUNICATIONS:**

156. COMM DEV DIRECTOR SEWARD: WITHDRAW ORIGINAL COM #146 FR 4/17/17 AGENDA, (CONTRACT WITH CANTON DEV PARTNERSHIP). - RECEIVED & FILED

157. COURT ADMINISTRATOR KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT WITH SUPREME COURT OF OH FOR RECEIPT AND APPROP OF FUNDS TO COURT TECHNOLOGY GRANT FUND (\$27,637.50 SUPP APPROP FR UNAPPROP BAL #2796-701001 COURT TECHNOLOGY GRANT FUND TO #2796-701001-OTHER-COURT TECHNOLOGY GRANT FUND). - FINANCE COMMITTEE

158. FINANCE DIRECTOR CROUSE: AMEND APPROP O#41/2017 (\$200,000.00 SUPP APPROP FR UNAPPROP BAL OF 7508 JACKSON-CANTON JEDD CLEARING FUND TO 7508 852101 INCOME TAX - ADMIN - OTHER) (INCOME TAX REIMBURSEMENT PAYMENTS). - FINANCE COMMITTEE

159. FINANCE DIRECTOR CROUSE: REQ INTER-FUND TRF THAT COVERS DEBT EXPENSE ON HOF VILLAGE PROJ NOTE; EMERGENCY (\$68,559.03 INTER FUND TRF FR 1001 GENERAL FUND TO 1154 HOF VILLAGE PROJECT FUND). - FINANCE COMMITTEE

160. LIQUOR CONTROL DIV (OHIO): REQ TRAN OF D5 PERMIT FR LUIGI TOZZI LLC DBA PICCIANOS TO MICHAEL CAPOBIANCO DBA PICCIANOS @ 410 MARKET AVE N. - RECEIVED & FILED

161. LIQUOR CONTROL DIV (OHIO): REQ NEW C1 C2 PERMIT FOR A&E OF CANTON LLC DBA WELCOME FOOD AND PIZZA 2 @ 538 CLARENDON AVE NW. - RECEIVED & FILED

162. PLANNING COMMISSION: REQ ZONE CHG AT SOUTH OF STATE RT 30 AND NORTH OF 21<sup>ST</sup> ST SW, WEST OF BROOKS AVE SW, INCLUDING 4 DIFFERENT TAX PARCELS, WARD 5, FR R-1A - SINGLE FAMILY RESIDENTIAL TO PI-2 PLANNED HEAVY INDUSTRIAL (MARATHON PETROLEUM). - JUDICIARY COMMITTEE

163. PLANNING COMMISSION: REQ ZONE CHANGE AT 515 48<sup>TH</sup> ST NW, PARCEL #380067, WARD 8, FR R-1C SINGLE FAMILY RESIDENTIAL TO PCS - PLANNED COMMUNITY SERVICE (ST. MARK'S EPISCOPAL CHURCH). - JUDICIARY COMMITTEE

164. PLANNING COMMISSION: REQ REPLAT AND RENUMBERING PLAT FOR ALL OF LOTS 6141, 6142, PT LOT 13177 & PT OUTLOT 241 AKA PARCELS 200402, 200403, 209273, 219566, 219567, 219568, 222514, 223324, 223330, & 246343, WARD 9 (KEMPTHORN MOTORS). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

165. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR HOF VILLAGE #3 ANNEXATION (ZONING CLASSIFICATION - HOFV - HALL OF FAME VILLAGE DISTRICT, WARD 7). - ANNEXATION COMMITTEE

**COMMUNICATIONS CONTINUED:**

166. SERVICE DIRECTOR BARTOS: RETRO AUTHORIZE AND RATIFY ACTIONS TAKEN PURSUANT TO SECTION 105.04 OF CODIFIED ORDINANCES OF CITY OF CANTON; MAKE \$375,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206005 OPERATION AND MAINTENANCE - OTHER; AUTHORIZE AUDITOR TO PAY MORAL OB TO MSD ENVIRONMENTAL SERVS INC. IN AMT NOT TO EXCEED \$375,000.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
167. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH SCHINDLER ELEVATOR CORP FOR REPAIR OF CORNERSTONE PARKING DECK ELEVATOR PURSUANT TO NATIONAL JOINT POWERS ALLIANCE COOP PURCH PROG; MAKE \$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJ FUND TO 4501 104040 TRAFFIC ENG/PARKING METER - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

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

- 1<sup>ST</sup> RDG 1. DECLARE TRF OF VARIOUS HOUSES/REAL PROP OBTAINED BY CITY FOR FURTHERANCE OF DEPT OF DEV PROG TO QUALIFIED ENTITIES TO BE A PLAN FOR URBAN REDEV AND/OR RENEWAL PURSUANT TO ORC SEC 721.28 EXEMPTING TRFS FR REQUIREMENTS OF COMPETITIVE BIDDING; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ALL CONTRACTS NECESSARY TO TRF HOUSES/REAL PROP; EMERGENCY  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZE SAF DIR TO ENTER INTO ONE-YR PROF SERVS CONTRACT RENEWAL WITH SHOTSPOTTER FLEX IN AMT NOT TO EXCEED \$135,000.00; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 3. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH OF ONE (1) MEDIUM DUTY PICKUP TRUCK AND ONE (1) HEAVY DUTY CAB AND CHASSIS FOR COLLECTION SYSTEM DEPTS; OR TO ALTERNATIVELY PURCH SAID VEHICLES PURSUANT TO ANY PURCH PROCEDURE AUTHORIZED BY LAW; EMERGENCY  
Referred to Finance and Public Property Capital Improvement Committees
- 1<sup>ST</sup> RDG 4. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO COOP AGMT MODIFICATION NO. 1 WITH STARK CTY IN AMT NOT TO EXCEED \$23,231.31 FOR FAIRHOPE SANITARY SEWER LIFT STATION REHAB PROJ; EMERGENCY  
Referred to Finance Committee

**(COUNCIL RECESSED AT 7:48 PM FOR THE PUBLIC SAFETY & THOROUGHFARES AND FINANCE COMMITTEES TO DISCUSS ORDINANCES #5 AND #6; RECONVENED AT 7:50 PM)**

- 91/2017 5. AUTHORIZE AND CONSENT TO REPLACING TYPE A GUARDRAIL END TERMINALS ON US 30 AT 15.18 AND SR 43D FR 0.51 TO 0.60; EMERGENCY (PID NO. 103678)  
Referred to Public Safety & Thoroughfares Committee
- 92/2017 6. AUTHORIZE PARTICIPATION IN ODOT WINTER CONTRACT (018-18) FOR ROAD SALT; EMERGENCY  
Referred to Finance Committee

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

**(SUSPENDED RULE 22A TO ADD O#7 - O#14)**

- 2<sup>ND</sup> RDG 7. ESTABLISH AND DESIGNATE BOUNDARIES OF PROPOSED DOWNTOWN REDEVELOPMENT DISTRICT (DRD); APPROVE ECONOMIC DEVELOPMENT PLAN FOR PROPOSED DRD, PURSUANT TO OH LAW; DECLARE "IMPROVEMENT" TO ONE OR MORE PARCELS OF REAL PROP LOCATED IN DISTRICT TO BE PUBLIC PURPOSE; FIND AND DETERMINE THAT IMPROVEMENTS TO PARCELS WITHIN DRD BE EXEMPTED UP TO 70% FOR 10 YRS WITHOUT SCHOOL DISTRICT APPROVAL; OR UP TO 70% FOR 30 YRS WITH EITHER SCHOOL DISTRICT APPROVAL OR SERV PAYMENTS TO SCHOOL DISTRICT(S) EQUAL TO TAXES EXEMPTED; ESTABLISH AND DESIGNATE BOUNDARIES OF PROPOSED INNOVATION DISTRICT; APPROVE ECONOMIC DEVELOPMENT PLAN FOR PROPOSED INNOVATION DISTRICT; EMERGENCY  
**PUB HRG HELD 4/3/17 @ 7:30 P.M.**  
(C&ED AND DTWN DEV)
- 2<sup>ND</sup> RDG 8. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (1703-1711 FULTON RD NW, PARCELS 210921, 210922, 244550, FOR KLIMO FAMILY FOUNDATION)  
**PUB HRG 5/8/17 @ 7:30 P.M.**  
(JUD)
- 2<sup>ND</sup> RDG 9. AMEND CHAPTER 1105, HISTORIC PRESERVATION CODE OF PART ELEVEN, PLANNING AND ZONING CODE OF CANTON CODIFIED ORDINANCES  
**PUB HRG 5/8/17 @ 7:31 P.M.**  
(JUD)

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

- 2<sup>ND</sup> RDG 10. AUTHORIZE MAYOR OR SERV DIR TO ACCEPT GRANT OF \$100,000.00 FR OH FACILITIES CONSTRUCTION COMMISSION FOR CITY OF CANTON CENTRAL PLAZA MEMORIAL PROJ; AMEND APPROP O#41/2017; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR SAID PROJ; EMERGENCY (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 201001 SERVICE DIRECTOR ADMIN - OTHER) (PPCI)
- 2<sup>ND</sup> RDG 11. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER/CONTRACT AMENDMENT NO. 1 WITH MICHAEL BAKER INTERNATIONAL IN AMT NOT TO EXCEED \$18,432.00 FOR PROF ENGINEERING SRVS FOR BURNHAM HILLS SANITARY SEWER REPLACEMENT PROJ; AMEND APPROP O#41/2017; EMERGENCY (\$18,432.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206314 BURNHAM HILLS SANITARY SEWER REPLACEMENT PROJ, GP 1220 - OTHER) (FIN)
- 2<sup>ND</sup> RDG 12. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT; ENTER INTO PROF SRVS CONTRACT FOR CONSTRUCTION OVERSIGHT SRVS AND ENTER INTO AGMT(S) FOR AND RECEIVE GRANT FUNDS IN AMT OF \$900,000.00 AND ZERO PERCENT INTEREST LOAN FUNDS IN AMT OF \$600,000.00 FR OH PUBLIC WORKS COMMISSION FOR 40<sup>TH</sup> ST/GRUNDER AVE WATER MAIN REPLACEMENT PROJ; AUTHORIZE AUDITOR TO CREATE 5233 40<sup>TH</sup> ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ FUND; AMEND APPROP O#41/2017; EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5233 40<sup>TH</sup> ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ FUND TO 5233 207038 40<sup>TH</sup> ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ - OTHER; \$790,944.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207038 40<sup>TH</sup> ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ - OTHER) (FIN)
- 2<sup>ND</sup> RDG 13. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SRVS CONTRACT WITH ARCADIS IN AMT NOT TO EXCEED \$23,600.00 FOR MONTABELLA-FIRST FRIENDS DETENTION BASIN DRAINAGE STUDY; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 14. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT AND TO ENTER INTO AGMT(S) FOR AND RECEIVE GRANT FUNDS IN AMT OF \$750,000.00 AND ZERO PERCENT INTEREST LOAN FUNDS IN AMT OF \$750,000.00 FR OH PUBLIC WORKS COMMISSION FOR SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ; AUTHORIZE AUDITOR TO CREATE 5234 SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ FUND; AMEND APPROP O#41/2017; EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5234 SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ FUND TO 5234 207042 SUGARCREEK WTP BACKWASH WATER SLUDGE LAGOON PROJ - OTHER; \$407,081.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207042 SUGARCREEK WTP BACKWASH WATER SLUDGE LAGOON PROJ - OTHER) (FIN)

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

- 93/2017 15. AMEND O#92/2016; EMERGENCY (CONTRACTS UTILIZING CDBG AND ESG FUNDS)
- 94/2017 16. AMEND APPROP O#41/2017; EMERGENCY (\$3,514.44 SUPP APPROP FR UNAPPROP BAL OF 2763 LAW ENFORCEMENT TRUST TO 2763 102085 NOVFTF - OTHER) (PURCH EQUIP FOR POLICE DEPT TO AID IN APPREHENSION OF VIOLENT FUGITIVES)
- 95/2017 17. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER/CONTRACT AMENDMENT NO. 2 WITH MICHAEL BAKER JR., INC./MICHAEL BAKER INTERNATIONAL FOR CONSTRUCTION ENGINEERING SERVS RELATED TO MAHONING RD NE CORRIDOR PROJ, PHASE 1, PID 90361, GP 1103; EMERGENCY
- 96/2017 18. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 4 WITH LOCKHART CONCRETE CO. FOR EAST SIDE INTERCEPTOR SEWER RELOCATION PROJ, GP 1113, EMERGENCY
- 97/2017 19. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ONE OR MORE SIDEWALK, STREETScape, AND/OR ADA RAMP CONSTRUCTION CONTRACTS; AMEND APPROP O#41/2017; EMERGENCY (\$320,621.52 SUPP APPROP FR UNAPPROP BAL OF 4579 30<sup>TH</sup> ST NW RESURFACING PROJ, GP 1238 FUND TO 4579 202044 30<sup>TH</sup> ST NW RESURFACING PROJ, GP 1238 - OTHER)

**AMENDED AS**

- 98/2017 20. AUTHORIZE MAYOR OR SERV DIR TO: PURCH SANITARY SEWERS AND ENTER INTO AGMT(S) WITH STARK COUNTY FOR OWNERSHIP, OPERATION, AND/OR MAINTENANCE OF SANITARY SEWERS AND SANITARY SEWER FACILITIES SERVICING AREA INCLUDED IN GENERAL DEVELOPMENT PLAN FOR JOHNSON CONTROLS HALL OF FAME VILLAGE; AMEND APPROP O#41/2017; EMERGENCY (\$300,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 202010 ENGINEER DAILY OPERATIONS - OTHER)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, May 8, 2017 in Council Caucus Room at 6:15 PM**

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 3) Public Property Capital Improvement Committee

**BUDGET PRESENTATION**

**MISCELLANEOUS BUSINESS:** Safety Director Perry stated that Captain Paige has excess fire detectors for any city of Canton resident who would like one. Member Smith asked if that included Council persons. Member Smuckler stated that he passed around a sample resolution for the May 8<sup>th</sup> agenda. It will be sent to a committee to discuss the consolidation of dispatch centers with the County and he hopes that all Council Members will sponsor it. Law Director Martuccio reminded everyone that they are invited to the continuation of meetings on diversity, taking place on Wednesday, April 26<sup>th</sup> at 2:00 p.m. at the Stark Community Foundation building at 400 Market Ave. N. The agenda will include a small group discussion at 2:00 p.m. on current diversity programs and initiatives. At 2:30 there will be a full group discussion on actual tangible countywide objectives and future strategies. This will include people from education, business, safety, health, government, art, faith, and media. Deputy Mayor Williams thanked Council for supporting the summer youth programs. He also wanted to go on record stating that the funding will help over 400 families. There are 2 other grants pending with the Workforce Development Board and Ohio Youth Works Program. There is potential to engage an additional 150 youth. Emergency legislation may be needed to accept these funds and create a proper fund account number so they can hire the youth. President Schulman asked if the funding will be coming from the State. Deputy Mayor Williams stated that it would be coming from the State - Ohio Means Jobs Department.

**QUOTE FOR THE WEEK:** "When you have nothing important or interesting to say, don't let anyone persuade you to say it." - H. Jackson Brown, Jr.

**ADJOURNMENT:** 8:09 PM

**NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MAY 8, 2017 @ 7:30 PM**