

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

July 3, 2017

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: President Schulman and Member Smuckler Absent

INVOCATION: Edmond Mack

PLEDGE OF ALLEGIANCE: President Pro Tem Morris

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#13 - O#17; 2nd Rdg O#18 - O#22; O#13 - O#17 Adopted on 1st Rdg; O#22 Adopted on 2nd Rdg; O#23 Adopted as Amended; O#24 Adopted as Amended)

PUBLIC HEARINGS:

7:30 PM AN ORDINANCE ENLARGING THE BOUNDARIES OF THE AREA OF THE CITY OF CANTON DESIGNATED AS THE HOF VILLAGE TOURISM DEVELOPMENT DISTRICT FOR THE PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT, PURSUANT TO OHIO REVISED CODE SECTION 715.014

AMENDED AS O#144/2017

OLD BUSINESS (PUBLIC SPEAKS): NONE

PUBLIC SPEAKS (CITY BUSINESS): Mary C. Bennett presented a flower to Member Smith. She wanted to do something nice for Member Smith due to the loss of her son a few years ago. Tom Wackerly thanked Member Mack, Safety Dir. Perry, her assistant, and the police officer who is over the removing of abandoned vehicles, for removing 7 unsightly vehicles from an abandoned triplex near his home.

INFORMAL RESOLUTIONS: NONE

COMMUNICATIONS:

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| 240. | AGENT, CHARLES D. HALL, III: | REQ AUTHORIZATION FOR ZONE CHANGE OF LOT 245905; LOCATED AT 2110 EIGHTH ST NE; WARD 4, FOR MOTOR VEHICLE STORAGE, LLC. - PLANNING COMMISSION |
| 241. | APPLICANT, STEPHANIE DONAHUE: | REQ AUTHORIZATION FOR ZONE CHANGE OF LOT 245005; LOCATED AT 115 BROAD AVE NW, WARD 3, FOR GREGORY A. & STEPHANIE M. DONAHUE. - PLANNING COMMISSION |
| 242. | APPLICANT, WILLIAM JEFFRIES: | REQ AUTHORIZATION FOR ZONE CHANGE OF PARCEL NOS. 244034, 244037, 229347, 244039, 244041, 244044, & 244029; LOCATED AT 2213 CLEVELAND AVE NW, WARD 7, FOR GROFFRE INVESTMENTS & JEFFRIES BROS EXCAVATING & PAVING, INC. - PLANNING COMMISSION |
| 243. | COUNCIL MEMBER HAWK, WARD 1: | REQ AMEND CHAPTER 353.03, TIME LIMIT METERED ZONES; NOTICE; HOURS OF OPERATION, OF CODIFIED ORDINANCES. - JUDICIARY COMMITTEE |
| 244. | COURT ADMIN KOCHERA: | REQ CREATION OF #2659 PROBATION AWARD FUND WITHIN JUDGES ADMIN ORG 701001 AND ACCEPT INITIAL APPROP OF \$23,000.00 FOR CONT'D PROPER OPER OF COURT (\$23,000.00 SUPP APPROP FR UNAPPROP BAL OF #2659-701001 PROBATION AWARD FUND TO OTHER #2659-701001 PROBATION AWARD FUND). - FINANCE COMMITTEE |
| 245. | DEPUTY MAYOR WILLIAMS: | AUTHORIZE MAYOR TO SUBMIT CITY'S 2017 ANNUAL ACTION PLAN TO US DEPT OF HOUSING AND URBAN DEVELOPMENT (HUD) AND ACCEPT AND EXECUTE GRANT AGMTS FOR 2017 PROGRAM YR. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE |
| 246. | FINANCE DIRECTOR CROUSE: | AMEND APPROP O#41/2017; EMERGENCY (\$372,642.39 SUPP APPROP FR UNAPPROP BAL OF 2815 FEMA SAFER GRANT 2015 FUND TO 2815 103001 FIRE ADMIN - OTHER). - FINANCE COMMITTEE |
| 247. | FINANCE DIRECTOR CROUSE: | REQ COUNCIL ADOPT ALTERNATIVE TAX BUDGET FOR CITY OF CANTON FOR FISCAL YR ENDING 12/31/18. - FINANCE COMMITTEE |
| 248. | LIQUOR CONTROL DIV (OHIO): | REQ NEW D5I PERMIT FOR AVI FOOD SYSTEMS INC @ 2121 GEORGE HALAS DR. NW. - RECEIVED & FILED |
| 249. | LIQUOR CONTROL DIV (OHIO): | REQ TRAN OF D5 PERMIT FROM GREG AND TINA'S PLACE LLC DBA SCOTTY'S BAR TO R BAR AND GRILL LLC DBA SCOTTY'S BAR AND GRILL @ 1117 WERTZ AVE NW & PATIO - RECEIVED & FILED |
| 250. | SERVICE DIRECTOR BARTOS: | AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACT FOR PROJ; MAKE \$236,000.00 SUPP APPROP FR UNAPPROP BAL OF 4506 INFRASTRUCTURE BOND FUND TO 4506 202001 ENGINEERING ADMIN - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (NE CANTON INDUSTRIAL PARK PROJ, GP 11480. - FINANCE COMMITTEE |

COMMUNICATIONS CONTINUED:

251. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACT FOR PROJ; MAKE \$40,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING 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 (13TH ST NW LIFT STATION ELECTRICAL PANEL REPLACEMENT, GP 1254). - FINANCE COMMITTEE
252. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO APPLY FOR, ENTER INTO AGMT FOR, AND RECEIVE ANY AND ALL FUNDING NECESSARY FOR PROJS; AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE ONE OR MORE PROF SERVS CONTRACT FOR DESIGN, ENGINEERING, AND OTHER PROF SERVS FOR PROJS; MAKE \$450,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPER FUND TO 5201 207048 CANTON SOUTH - CLEVELAND AVE WATERLINE EXTENSION PROJ (REGIONALIZATION) - OTHER; \$950,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPER FUND TO 5201 207049 CANTON SOUTH WATERLINE EXTENSION PROJ (HUMAN HEALTH) - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
253. TREASURER PEREZ: LTR TO SEN. OELSLAGER REQ REMOVAL OF LANGUAGE CURRENTLY IN SUB HB 49, ALLOWING OH DEPT OF TAX TO COLLECT MUNICIPAL NET PROFIT FILINGS AND REVENUES OBLIGATED TO MUNICIPALITIES THRU CENTRALIZED COLLECTION. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. ESTABLISH FAIR MARKET VALUE OF ONE PARCEL OF CITY OWNED PROP; AUTHORIZE SALE AND CONVEYANCE OF SAID PROP; EMERGENCY (PARCEL: 02-03042; LOT #18403 WH & PART LOT 18404, LOCATED ON 6TH ST NE, \$976.19 TO DORIS TURNER)
Referred to Community & Economic Development Committee
- 1ST RDG 2. DECLARE IMPROVEMENT OF CERTAIN REAL PROP LOCATED IN CITY OF CANTON TO BE PUBLIC PURPOSE; DECLARE PROP TO BE EXEMPT FR REAL PROP TAXATION; DESIGNATE IMPROVEMENT BE MADE THAT WILL BENEFIT SUCH PROP; REQUIRE ANNUAL SERV PMTS IN LIEU OF TAXES; ESTABLISH URBAN REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND; CREATE TAX INCENTIVE REVIEW COUNCIL; ADOPT CERTAIN CITY NONDISCRIMINATORY HIRING POLICIES FOR TAX EXEMPTION RECIPIENTS; AND RELATED AUTHORIZATIONS PURSUANT TO ORC CHAPTER 5709; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 3. DETERMINE NECESSITY TO PROCEED WITH IMPLEMENTATION OF PUBLIC SERV PLAN ADOPTED BY DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; DECLARE NECESSITY TO PROCEED WITH SPECIAL ASSESSMENT FOR FUNDING OF SAID PLAN FOR PERIOD OF FIVE YRS; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 4. AMEND APPROP O#41/2017; EMERGENCY (\$43,805.00 SUPP APPROP FR UNAPPROP BAL OF 2415 GUARDRAIL/ATTENUATOR REPLACEMENT FUND TO 2415 202210 MAINT -OTHER - \$10,000.00, TO 2415 753001 LAW - OTHER - \$33,805.00)
Referred to Finance Committee
- 1ST RDG 5. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE A DEVELOPMENT AGMT, AN OPERATIONS & MAINT AGMT, AND ALL NECESSARY AGMTS RELATED TO JOHNSON CONTROLS HALL OF FAME VILLAGE; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 6. AMEND APPROP O #41/2017; EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 753001 LAW DEPT - PERSONNEL)
Referred to Finance Committee
- 1ST RDG 7. APPROVE AND ACCEPT REPLAT OF OUT LOT 838; EMERGENCY (PARCEL #304676, 4113 LESH ST NE, WARD 6, FOR MAX SOLOMON)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 8. APPROVE AND ACCEPT REPLAT OF PART OF LOTS 7741 AND 7742 (PARCELS 239102 & 213953), 712 SHORB AVE NW, WARD 2, FOR ARETHA FRANCIS)
Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 9. APPROVE AND ACCEPT REPLAT OF LOTS 10895 AND 10828 - 10833; EMERGENCY (PARCELS 231680, 225923, 226098, 225813, 244539 & 230980) 2333 MAHONING RD NE IN WARD 6 FOR J. LEONARD MASON)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 10. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCELS 231680, 225923, 226098, 225813, 244539 & 230980, WARD 6, FR B-3 (GENERAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) FOR J. LEONARD MASON.
Referred to Judiciary Committee **PUB HRG 7/31/17 @ 7:30 PM**
- 1ST RDG 11. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ONE YR CONTRACT WITH STARK METRO HOUSING AUTHORITY FOR VEHICLE MAINTENANCE AND FUEL SERVS; EMERGENCY
Referred to Finance Committee
- 1ST RDG 12. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO SOURCE PURCH AGMT WITH NALCO CO, LLC FOR PURCH OF PERMACARE MPE50; AMEND APPROP O#41/2017; EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206005 OPERATING AND MAINT - OTHER)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:49 PM FOR THE PERSONNEL, FINANCE, PUBLIC PROPERTY CAPITAL IMPROVEMENT AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES TO DISCUSS O#13 - O#17; RECONVENED AT 8:10 PM)

- 138/2017 13. AUTHORIZE STEVEN TRZCINSKI, SUPT OF PUBLIC WORKS, TO RECEIVE TEN (10) DAYS OF VACATION PER YR BEGINNING 2017, UNTIL CITY ACCRUED TIME CORRELATES WITH APPLICABLE CITY VACATION SCHEDULE; EMERGENCY
Referred to Personnel Committee
- 139/2017 14. AUTHORIZE MAYOR OR SAF DIR TO: ENTER INTO AGMT FOR AND ACCEPT REIMBURSEMENT GRANT FR DEPT OF HOMELAND SECURITY IN AMT NOT TO EXCEED \$134,484.00; ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH OF MDT'S AND SOFTWARE FOR FIRE DEPT; OR TO ALTERNATIVELY ENTER INTO CONTRACT FOR SAID PURCH PURSUANT TO ANY COOP PURCH AGMTS AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO RENAME 2658 2010 SUMMER YOUTH TANF GRANT TO 2658 FY 2016 ASSIST TO FIREFIGHTERS GRANT FUND, AMEND APPROP O# 41/2017; EMERGENCY (\$13,448.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJ FUND TO 4501 103001 FIRE DEPT ADMIN - OTHER, \$134,484.00 SUPP APPROP FR UNAPPROP BAL OF 2658 FY 2016 ASSIST TO FIREFIGHTERS GRANT FUND TO 2658 103001 FIRE DEPT ADMIN - OTHER)
Referred to Finance and Public Property Capital Improvement Committees
- 140/2017 15. AUTHORIZE MAYOR, SAF DIR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR DEMO OF STRUCTURE AT 1306 LOGAN AVE NW; ENTER INTO ANY NECESSARY CONTRACTS FOR SAID DEMO THRU ANY PROCUREMENT METHOD AUTHORIZED BY LAW; TRANSFER REAL PROP LOCATED AT 1306 LOGAN AVE NW TO CANTON COMMUNITY IMPROVEMENT CORP FOR ECONOMIC DEVELOPMENT PURPOSES; EMERGENCY
Referred to Community & Economic Development Committee
- 141/2017 16. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACT FOR 19TH ST. NE RESURFACING PROJ, GP 1239; AMEND APPROP O#41/2017; EMERGENCY (\$510,000.00 APPROP TRF FR 4501 202210 STREET MAINT - OTHER TO 4501 202047 19TH ST. NE RESURFACING PROJ, GP 1239 - OTHER, \$207,500.00 APPROP TRF FR 4501 202260 STREET PAVING - OTHER TO 4501 202047 19TH ST. NE RESURFACING PROJ, GP 1329 - OTHER, \$182,500.00 APPROP TRF FR 4501 202042 FULTON ROAD RESURFACING PROJ, GP 1184 - OTHER TO 4501 202047 19TH ST. NE RESURFACING PROJ, GP 1239 - OTHER; \$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 202047 19TH ST. NE RESURFACING PROJ, GP 1239 - OTHER)
Referred to Public Property Capital Improvement Committee
- 142/2017 17. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACT FOR ROADWAY BASE STABILIZATION PROJECT, GP 1265; EMERGENCY
Referred to Finance and Public Property Capital Improvement Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#18 - O#22; O#22 ADOPTED ON 2ND RDG)

- 2ND RDG 18. APPROVE STATEMENT OF SERVICES TO BE PROVIDED TO PROPERTY OWNER IN 4111 LOUISVILLE ST NE ANNEXATION AREA, APPROX DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO CITY OF CANTON, OH; EMERGENCY _____ (ANNEX)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 19. AUTHORIZE MAYOR TO ENTER INTO PROF SRVS CONTRACT FOR CREDIT/PURCH CARD PROG FOR CITY PURCHASES NOT EXCEEDING \$20,000.00; EMERGENCY (FIN)
- 2ND RDG 20. AMEND APPROP O#41/2017; EMERGENCY (\$10,000.00 SUPP APPROP FR UNAPPROP BAL OF 2216 FHAP YR 13 PSHIP PROJ GR FUND TO 2216 505010 FAIR HOUSING DEPT - OTHER) (C&ED)
- 2ND RDG 21. AUTHORIZE MAYOR OR SAF DIR TO: ENTER INTO AGMT FOR AND ACCEPT \$70,500.00 IN GRANT FUNDS FR OH OFFICE OF CRIMINAL JUSTICE SRVS; ENTER INTO ALL CONTRACTS NECESSARY FOR UPDATE TO CURRENT RMS SOFTWARE AND FOR INSTALLATION, STAFF TRAINING, TESTING OF UPDATED SOFTWARE, AND ALL OTHER NECESSARY GOODS OR SRVS; AUTHORIZE AUDITOR TO RENAME 2781 THERMAL IMAGING SYSTEM GRANT FUND TO FUND 2781 USE OF FORCE SOFTWARE UPGRADE GRANT FUND; AMEND APPROP O#41/2017; EMERGENCY (\$70,500.00 SUPP APPROP FR UNAPPROP BAL OF 2781 USE OF FORCE SOFTWARE UPGRADE GRANT TO 2781 102001 POLICE DEPT ADMIN - OTHER) (FIN)
- 143/2017 22. AUTHORIZE AUDITOR TO PAY MORAL OB TO AULTWORKS, BLACK, MCCUSKEY, SOUERS & ARBAUGH, LPA, OMNI ORTHOPAEDICS, AND MEDPRO GROUP IME SOLUTIONS, LLC; EMERGENCY (FIN)

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

- 144/2017 23. ENLARGING BOUNDARIES OF AREA OF CITY OF CANTON DESIGNATED AS HOF VILLAGE TOURISM DEVELOPMENT DISTRICT FOR PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN DISTRICT, PURSUANT TO ORC SEC 715.014; EMERGENCY
PUB HRGS 6/19/17 @ 7:30 P.M. AND 7/3/17 @ 7:30 P.M.

AMENDED AS

- 145/2017 24. AMEND ORDINANCE #262/2015 TO INCLUDE CERTAIN "PHASE 1 PROPERTY" OF HALL OF FAME VILLAGE PROJ SITE AS "EXISTING PROPERTY" IN AREA COVERED BY TAX INCREMENT FINANCING PROVISIONS OF ORC SEC 5709.40, EXEMPTING IMPROVEMENTS TO SAID "PROPERTY" FROM TAXATION DURING TERM OF COMPENSATION AGMT AUTHORIZED BY O#261/2015; EMERGENCY
- 146/2017 25. AMEND RESOLUTION #137/2016 BY ADDITION OF PARCEL #5208292; EMERGENCY (TAMSAL-FULTON-BLAKE ANNEX)
- 147/2017 26. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,000,000 FOR PURPOSE OF PAYING COSTS OF REVITALIZATION IN CITY AND ADDRESSING PROP CONDITIONS DELETERIOUS TO PUBLIC HEALTH AND SAF THRU DEMOLITION OF DETERIORATING STRUCTURES AND IMPROVEMENT OF THOSE SITES, ENABLING USE OR REUSE OF LAND IN CITY
- 148/2017 27. 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 CITY OF CANTON; DECLARE NECESSITY OF ISSUANCE OF SAID NOTE PROCEEDS FOR PAYOFF OF PREVIOUSLY EXISTING NOTE; EMERGENCY
- 149/2017 28. AMEND APPROP O#41/2017; EMERGENCY (\$15,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 901001 CIVIL SERVICE - OTHER) (ADVERTISING FOR OPEN POSITIONS - STREET DEPT, MAYOR'S OFF; POLICE DEPT; FIRE DEPT)
- 150/2017 29. AMEND APPROP O#41/2017; EMERGENCY (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 852002 TREASURER GROWTH INIT SETTLEMENT - OTHER) (JOB CREATION INCENTIVE PAYMENTS)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, July 17, 2017 in Council Caucus Room at 6:15 PM**

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 3) Judiciary Committee
- 4) Public Safety & Thoroughfares Committee

STADIUM PARK PARKING LOT PRESENTATION

MISCELLANEOUS BUSINESS: Member Mack said that Clerk Dougherty was a big part of getting the cars removed that Mr. Wackerly spoke about. He also thanked Clerk Dougherty for a job well done. Member Morris echoed Member Mack's sentiments. Mr. Fisher acknowledged some young people in the audience who thought the City is failing them by not talking or listening to them. Member Fisher said he told them that they should start coming to Council Meetings. Law Dir. Martuccio said that it was in the Repository a couple of weeks ago that 100 years ago, in 1917, Council called for the Constables to issue citations for tall grass and weeds. In Monday's issue, it said 50 years ago Council called a meeting on the eve of a major holiday and proceeded to hold that meeting. He congratulated Council for repeating history!

QUOTE OF THE WEEK: *“Let every nation know, whether it wishes us well or ill, we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, to assure the survival and success of liberty.”* John F. Kennedy

ADJOURNMENT: 8:35 PM

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JULY 17, 2017 @ 7:30 PM