

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

CANTON CITY COUNCIL

July 31, 2017

**ROLL CALL:** Twelve Members Present

**MOTION TO EXCUSE MEMBERS:** Not Necessary

**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# 11 & O#12; 2<sup>nd</sup> Rdg O#13 - O#18; O#11 & O#12 Adopted on 1<sup>st</sup> Rdg; O#13, O#15, O#17 & O#18 Adopted on 2<sup>nd</sup> Rdg; O#21 Postponed until 8/14/17)

**PUBLIC HEARINGS:**

7:30 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCELS 231680, 225923, 226098, 225813, 244539 & 230980), FR B-3 (GENERAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) FOR J. LEONARD MASON IN WARD 6, PLANNING COMMISSION RECOMMENDED APPROVAL (NO SPEAKERS) **O#169/2017**

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

**PUBLIC SPEAKS (CITY BUSINESS):** Laura Riley spoke about the non-owner occupied residential fee. She was charged 2 late fees for the same payment and wished to speak with someone. Pres. Schulman asked her to stay until the meeting was over and someone would speak with her. Pete DiGiacomo said it doesn't sit well with him that the City of Canton uses city workers to put the bleachers out for the Hall of Fame Parade and eats the costs; however, it's the Chamber of Commerce that sells tickets to use those bleachers. Richard Manson spoke, again, about an incident he had with the Canton City Police Dept. He said he still spoke with the Safety Director, but still hasn't been given any information as to why he was threatened with arrest, for no reason. He also spoke about people playing their stereos very loudly and believes since they are in violation of the Noise Ordinance, the city should go after that revenue.

**INFORMAL RESOLUTIONS:**

29. COUNCIL-AS-A-WHOLE: AMENDING PROCEDURE RULE #2 "REGULAR MEETINGS" BY CHANGING TIME OF REGULAR COUNCIL MEETINGS FR 7:30 PM TO 7:00 PM, EFFECTIVE AUGUST 14, 2017. - ADOPTED

**COMMUNICATIONS:**

280. AGENT FOR PETITIONER, SLIMAN: COPY OF NEW ANNEX MAP AND LEGAL DESCRIPTION CLARIFYING LIMITED ACCESS HIGHWAY INFO FOR TAMSAL-FULTON DR NW ANNEX. - RECEIVED & FILED
281. FINANCE DIRECTOR CROUSE: AMEND APPROP O#41/2017; EMERGENCY (\$14,500.00 SUPP APPROP TRF FR 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER TO 1001 201001 SERVICE DIRECTOR ADMIN - OTHER - \$7,000.00, TO 1001 501101 HUMAN RESOURCES ADMIN - OTHER - \$7,500.00). - FINANCE COMMITTEE
282. FINANCE DIRECTOR CROUSE: AMEND APPROP O#41/2017; EMERGENCY (\$200,000.00 SUPP APPROP FR UNAPPROP BAL OF 6041 MOTOR VEHICLE DEPT DMV FUND TO 6041 208010 SERVICE AND REPAIR - OTHER). - FINANCE COMMITTEE
283. HEALTH COMMISSIONER ADAMS: AMEND APPROP O#41/2017 (\$25,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2320 NURSING CLINIC ACTIVITY FUND TO FUND 2320 303002 NURSING CLINIC ACTIVITY FUND - 700 OTHER). - FINANCE COMMITTEE
284. LIQUOR CONTROL DIV (OHIO): REQ NEW D5I PERMIT FOR AVI FOOD SYSTEMS INC @ 1835 HARRISON AVE NW. - RECEIVED & FILED
285. LIQUOR CONTROL DIV (OHIO): REQ NEW C2 PERMIT FOR FAMILY DOLLAR STORES OF OHIO INC, DBA FAMILY DOLLAR 2035 @ 1908 CLEVELAND AVE NW. - RECEIVED & FILED
286. LIQUOR CONTROL DIV (OHIO): REQ NEW D2 PERMIT FOR DIPIETRO ENTERPRISES NO 1 INC, DBA PIZZA OVEN @ 3201 W TUSCARAWAS ST & PATIO. - RECEIVED & FILED
287. PARKS & REC DIRECTOR GORDON: AUTHORIZE PARKS & REC DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE ANY AND ALL NECESSARY CONTRACTS FOR KING PARK RENOVATION PROJ; ALTERNATIVELY AUTHORIZE PARKS & REC DIR TO ENTER INTO ANY AND ALL NECESSARY CONTRACTS FOR KING PARK RENOVATION PROJ USING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PARKS & REC AND FINANCE COMMITTEES
288. SAFETY DIRECTOR PERRY: REQ APPRVL TO ALLOW CPD TO RECEIVE GRANT FUNDS FR NORTHERN OH VIOLENT CRIME CONSORTIUM (NOVCC) IN CONJUNCTION WITH KENT STATE UNIV.; AMEND APPROP O#41/2017; EMERGENCY (\$17,793.00 SUPP APPROP FR UNAPPROP BAL 2770 - 2016 LOCAL SOLICITATION BYRNE GRANT TO 2770 102001 POLICE ADMIN - OTHER). - FINANCE COMMITTEE

**COMMUNICATIONS CONTINUED:**

289. SAFETY DIRECTOR PERRY: AUTHORIZE AUDITOR TO PAY MORAL OB TO A CUT ABOVE TREE SERVICE, LLC IN AMT NOT TO EXCEED \$10,500.00 FOR TREE SERVS RELATED TO CITY OF CANTON NEIGHBORHOOD INITIATIVE PROGRAM, PHASE III; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
290. SERVICE DIRECTOR BARTOS: LTR INFORMING COUNCIL THAT CITY WILL NOT ENTER INTO PROJECT LABOR AGMT (PLA) FOR ROADWAY BASE STABILIZATION PROJECT, GP 1265. - RECEIVED & FILED
291. SERVICE DIRECTOR BARTOS: AUTHORIZE AUDITOR TO PAY MORAL OB TO STANDARD PLUMBING AND HEATING CO. IN AMT NOT TO EXCEED \$8,354.65 FOR SERVICES RELATED TO CITY HALL FLOODING EVENT; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
292. TREASURER PEREZ: COMPARATIVE RPTS OF INCOME TAX RECEIPTS FOR JANUARY 2017 THRU JUNE 2017. - RECEIVED & FILED

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

- 1<sup>ST</sup> RDG 1. APPROVE STATEMENT OF SERVS BE PROVIDED TO PROP OWNERS IN HOF VILLAGE #4 ANNEX AREA, APPROX DATE SERVS WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON BEING ANNEXED TO CITY; EMERGENCY  
Referred to Annexation Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT. OF REHAB & CORRECTION FOR RECEIPT OF FY 2018-2019 PROBATION IMPROVEMENT & INCENTIVE GRANT IN AMT OF \$88,822.00; AMEND APPROP O#41/2017; EMERGENCY (\$88,822.00 SUPP APPROP FR UNAPPROP BAL OF 2765 PROBATION IMPROVEMENT & INCENTIVE GRANT FUND TO 2765 701001 PROBATION IMPROVEMENT & INCENTIVE GRANT - PERSONNEL)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 3. AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT. OF REHAB & CORRECTION FOR RECEIPT OF FY 2018 COMMUNITY CORRECTIONS ACT GRANT IN AMT NOT TO EXCEED \$170,601.00; AMEND APPROP O#41/2017; EMERGENCY (\$170,601.00 SUPP APPROP FR UNAPPROP BAL OF 2767 MISDEMEANANT JAIL DIVERSION GRANT FUND TO 2767 MISDEMEANANT JAIL DIVERSION GRANT FUND - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 4. AMEND APPROP O#41/2017; EMERGENCY (\$13,750.00 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 103501 CENTRAL COMMUNICATION ADMIN - OTHER)  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG 5. AMEND APPROP O#41/2017; EMERGENCY (\$1,163,656.00 SUPP APPROP FR UNAPPROP BAL OF 2211 COMMUNITY DEVELOPMENT FUND TO 2211 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$388,896.00 SUPP APPROP FR UNAPPROP BAL OF 2214 HOME FUND TO 2214 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$213,203.00 SUPP APPROP FR UNAPPROP BAL OF 2219 EMERGENCY SHELTER GRANT FUND TO 2219 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 6. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCEL NOS. 224034, 244037, 229347, 244039, 244041, 244044, AND 244029 @ 2213 CLEVELAND AVE NW FROM R-1A (SINGLE-FAMILY RESIDENTIAL) AND B-3 (GENERAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS DISTRICT FOR GROFFRE INVEST & JEFFRIES BROS EXCAVATING & PAVING INC.)  
Referred to Judiciary Committee **PUB HRG 8/28/17 @ 7:30 PM**
- 1<sup>ST</sup> RDG 7. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCEL #245005 @ 115 BROAD AVE NW FROM R-1A (SINGLE-FAMILY RESIDENTIAL) TO PB-3 (PLANNED GENERAL BUSINESS FOR STEPHANIE DONAHUE)  
Referred to Judiciary Committee **PUB HRG 8/28/17 @ 7:31 PM**
- 1<sup>ST</sup> RDG 8. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCEL #245905 @ 2110 - 8<sup>TH</sup> ST NE FROM R-1A (SINGLE-FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS FOR MOTOR VEHICLE STORAGE)  
Referred to Judiciary Committee **PUB HRG 8/28/17 @ 7:32 PM**
- 1<sup>ST</sup> RDG 9. AMEND CHAPTER 1158, HALL OF FAME VILLAGE DISTRICT OF PART ELEVEN, PLANNING AND ZONING CODE OF THE CODIFIED ORD BY ADDITION OF SEC 1158.19 - SIGNS PERMITTED IN HOFV ZONING DISTRICT REQUIRING A PERMIT  
Referred to Judiciary Committee **PUB HRG 8/28/17 @ 7:33 PM**

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

- 1<sup>ST</sup> RDG 10. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO 5 YR CONTRACT FOR LEASE OF APPROX 274 ACRES OF CITY OF CANTON PROP AT SUGARCREEK WATER TREATMENT PLANT FOR FARMING PURPOSES; EMERGENCY  
Referred to Public Property Capital Improvement and Finance Committees

**(COUNCIL RECESSED AT 7:50 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #11; RECONVENED AT 7:51 PM)**

- 157/2017 11. AMEND APPROP O#41/2017; EMERGENCY (\$25,603.00 SUPP APPROP FR UNAPPROP BAL OF 2321 IMMUNIZATION ACTION GRANT FUND TO 2321 301001 IMMUNIZATION ACTION GRANT - 700 - OTHER)  
Referred to Finance Committee

**(COUNCIL RECESSED AT 7:51 PM FOR THE PUBLIC SAFETY & THOROUGHFARES COMMITTEE TO DISCUSS ORDINANCE #12; RECONVENED AT 7:53 PM)**

- 158/2017 12. VACATE PORTIONS OF BARR AVENUE NW, WOODWARD PLACE NW, AND 21<sup>ST</sup> ST NW, APPROVE AND ACCEPT REPLAT OF VACATED STREETS AND LOTS 43052-43066, 43077, 43079, 43137, 43138, 43146-43159, 43178, 43211-43214, 43237, 43238, 43239 AND PART OF OUT LOTS 1377 AND 1378; EMERGENCY (WARD 7, FOR HOF VILLAGE LLC)  
Referred to Public Safety & Thoroughfares Committee **NO PUB HRG - WAIVERS ATTACHED**

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

**(SUSPENDED RULE 22A TO ADD O#13 - O#18; O#13 ADOPTED AS AMENDED, O#15, O#17, & O#18 ADOPTED)**

**AMENDED AS**

- 159/2017 13. AMEND APPROP O #41/2017; EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 753001 LAW DEPT - PERSONNEL) (FIN)
- 2<sup>ND</sup> RDG 14. AMEND APPROP O#41/2017; EMERGENCY (\$23,000.00 SUPP APPROP FR UNAPPROP BAL OF 2659 PROBATION AWARD FUND TO 2659 701001 PROBATION AWARD FUND - OTHER) (FIN)
- 160/2017 15. AMEND APPROP O#41/2017; EMERGENCY (\$372,642.39 SUPP APPROP FR UNAPPROP BAL OF 2815 FEMA SAFER GRANT FUND TO 2815 103001 FIRE ADMIN - OTHER) (FIN)
- 2<sup>ND</sup> RDG 16. ADOPT CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING 12/31/18; EMERGENCY (FIN)
- 161/2017 17. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACT FOR 13<sup>TH</sup> ST NW LIFT STATION ELECTRICAL PANEL REPLACEMENT PROJ, GP 1254; AMEND APPROP O#41/2017; EMERGENCY (\$40,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206319 13<sup>TH</sup> ST NW LIFT STATION ELECTRICAL PANEL REPLACEMENT, GP 1254 - OTHER) (FIN)
- 162/2017 18. AUTHORIZE MAYOR TO FILE WITH HUD 2017 ANNUAL ACTION PLAN FOR 2017 CD BLOCK GRANT, 2017 HOME INVESTMENT PARTNERSHIP, AND 2017 EMERGENCY SOLUTIONS GRANT PROG; RATIFYING SUBMISSION AND FILING SAID PLAN; AUTHORIZE MAYOR TO EXECUTE GRANT AGMTS WITH HUD AND ACCEPT FUNDING FOR (3) PROGRAMS; EMERGENCY (C&ED)

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

- 163/2017 19. 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 6<sup>TH</sup> ST NE, \$976.19 TO DORIS TURNER)
- 164/2017 20. 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

**POSTPONED UNTIL**

- 8/14/17 21. 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
- 165/2017 22. 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)
- 166/2017 23. APPROVE AND ACCEPT REPLAT OF OUT LOT 838; EMERGENCY (PARCEL #304676, 4113 LESH ST NE, WARD 6, FOR MAX SOLOMON)

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

- 167/2017** 24. APPROVE AND ACCEPT REPLAT OF PART OF LOTS 7741 AND 7742 (PARCELS 239102 & 213953), 712 SHORB AVE NW, WARD 2, FOR ARETHA FRANCIS)
- 168/2017** 25. 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)
- 169/2017** 26. 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

**PUB HRG 7/31/17 @ 7:30 PM**

- 170/2017** 27. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ONE YR CONTRACT WITH STARK METRO HOUSING AUTHORITY FOR VEHICLE MAINTENANCE AND FUEL SERVS; EMERGENCY
- 171/2017** 28. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO SOLE 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)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, August 14, 2017 in Council Caucus Room at 6:00 PM**

Finance Committee  
Public Property Capital Improvement Committee  
Community & Economic Development Committee  
Judiciary Committee  
Annexation Committee

**MISCELLANEOUS BUSINESS:** Service Director Bartos gave a quick update on the "Rover" matter. He said Rover has begun moving forward with the items that were contained in the order that came from the Ohio EPA. It's a very positive turn of events for the city of Canton. They provided the Ohio EPA with the mandated ground water sampling analysis plan. EPA has provided some comments back and asked the city of Canton to review the plan as well. Mandated water testing will be done tomorrow at the Sugarcreek Plant. President Schulman commended Dir. Bartos on the magnificent job his team has done.

**QUOTE OF THE WEEK:** *"The most important single ingredient, in the formula of success, is knowing how to get along with people."* - Teddy Roosevelt

**ADJOURNMENT:** 8:15 PM

**NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 14, 2017 @ 7:00 PM**