

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

NOVEMBER 13, 2017

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: President Schulman and Member Mack Absent

INVOCATION: John Mariol, Ward 7 Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem Morris

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#6 - O#8)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Pat Varn, who serves on the Montabella Board of Directors, spoke about the installation of the Verizon tower on First Friends Church parking lot, adjacent to their wetlands. The tower will reduce their beautiful view, along with their property value by up to 20%. She's asked Council to use their influence to convince Verizon to co-locate their cell service with AT&T, on the water tower across from the church. Brenda Baylor spoke about the issues that the surrounding neighbors have been having with Republic Steel. Most people assume that this issue has been dropped and that no one cares because they're not getting any response from Council and the Administration. The only people who have received any information are her and Mr. Zachary. She would like a meeting to be held to get the information out to all 8000 people who are affected. Don Johnson, who is with the Affairs of the Community, wanted to know what's coming from the smokestacks at Republic Steel. He said there's been a white substance covering the resident's cars and homes in the Georgeview Estates community. The substance is also blowing towards the school and the children are breathing it in. He said the residents are considering taking a trip to Columbus with their complaints about Republic Steel, but would rather get results here, from Council and Administration. John Alge thanked Members Mariol and Hawk for their work with the former Lehman School building. Although there was a presentation given about plans for the building that was very positive, he would like to receive some additional information.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

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| 411. | AGENT FOR PETITIONER SMITH: | REQ AUTHORIZATION FOR ZONE CHANGE OF LOTS 380288,304826, LOCATED AT 3501 - 3533 LESH ST. NE, IN WARD 6, FOR LESH PROPERTIES. - PLANNING COMMISSION |
| 412. | AGENT FOR PETITIONER RODRIGUEZ: | REQ AUTHORIZATION FOR ZONE CHANGE OF LOT 280008, LOCATED AT 1120 15 TH ST. NW (FORMER LEHMAN SCHOOL), WARD 1, FOR A.M. RODRIGUEZ ASSOC. INC. - PLANNING COMMISSION |
| 413. | AUDITOR MALLONN: | REQ FOR ADDT'L AMENDED CERTIFICATE DATED 10/31/17. - RECEIVED & FILED |
| 414. | AUDITOR MALLONN: | MTHLY RPT BY FUND FOR 10/1/17 THRU 10/31/17. - RECEIVED & FILED |
| 415. | AUDITOR MALLONN: | YRLY RPT BY FUND FOR 1/1/17 THRU 10/31/17. - RECEIVED & FILED |
| 416. | CHIEF COUNSEL L'HOMMEDIEU: | REQ TO AMEND CODIFIED ORD SEC 509.04 (NOISE ORDINANCE) WITH MODERN STANDARDS FOR ASSESSING VOLUME. - JUDICIARY COMMITTEE |
| 417. | COURT ADMINISTRATOR KOCHERA: | REQ CREATION OF #2795 JUSTICE REINVESTMENT GRANT- PROBATION WITHIN JUDGES ADMIN ORG 701001 AND ACCEPTANCE OF INITIAL APPROP (\$89,918.00 INITIAL APPROP FR UNAPPROP BAL #2795 -701001 JUSTICE REINVESTMENT GRANT - PROBATION TO PERSONNEL #2795 - 701001 JUSTICE REINVESTMENT GRANT - PROBATION. - FINANCE COMMITTEE |
| 418. | FINANCE DIRECTOR CROUSE: | AMEND APPROP O#41/2017 (\$25,000.00 APPROP TRF FR 1001 506001 - COMMUNITY DEVELOPMENT ADMIN - OTHER TO 1001 103001 FIRE ADMIN - OTHER); EMERGENCY (ACCUMED GROUP FOR EMS CHARGES). - FINANCE COMMITTEE |
| 419. | FINANCE DIRECTOR CROUSE: | AMEND APPROP O#41/2017 (\$17,442.30 SUPP APPROP FR UNAPPROP BAL OF 2789 2012 COPS HIRING PROG GRANT FUND TO 2789 102001 POLICE ADMIN - OTHER; \$17,442.30 SUPP APPROP FR UNAPPROP BALANCE OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN - OTHER; \$17,442.30 INTER-FUND TRF FR 1001 102001 POLICE ADMIN - TRANSFER OUT TO 2789 102001 POLICE ADMIN - TRANSFER IN); EMERGENCY. - FINANCE COMMITTEE |
| 420. | FINANCE DIRECTOR CROUSE: | AMEND APPROP O#41/2017 (\$171,380.00 FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102090 POLICE - CANTON CRIME LAB - PERSONNEL SERVS - \$12,500.00, TO 1001 103001 FIRE - ADMIN - PERSONNEL SERVS - \$150,000.00, TO 1001 201015 ANNEXATION - PERSONNEL SERVS - \$1,080.00, TO 1001 901001 CIVIL SERV - PERSONNEL SERVS - \$7,800.00); EMERGENCY. - FINANCE COMMITTEE |

COMMUNICATIONS CONTINUED:

421. MAYOR BERNABEI: LTR ADVISING OF APPT OF JEFFREY MCDANIELS TO STARK METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS FOR 5 YR TERM COMMENCING 2/1/18 THRU 1/31/23. - RECEIVED & FILED
422. OWNER, DOMINICK FRANCIS: REQ AUTHORIZATION FOR ZONE CHANGE OF LOTS 227640, 228142, 285319, 285318, 285316, 234589, LOCATED AT 1214 - 1230 TUSCARAWAS ST. E, IN WARD 4, FOR FUTURE PROPERTY GROUP LLC. - PLANNING COMMISSION
423. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO AGMT FOR AND ACCEPT \$20,114.54 GRANT FUNDS FR OFFICE OF JUSTICE PROG, BUREAU OF JUSTICE ASSIST; AUTHORIZE AUDITOR TO RENAME FUND #2782 FIRE 175TH ANNIVERSARY FUND TO FUND #2782 FY 2017 BULLETPROOF VEST PARTNERSHIP TO PLACE GRANT MONEY UPON RECEIPT; AUTHORIZE MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH OF NAT'L INSTITUTE OF JUSTICE (NIJ) COMPLIANT ARMORED VESTS; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCH IN ACCORD WITH ANY ORC AND/OR CANTON COD ORD; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; AMEND APPROP O#41/2017 (\$20,114.54 SUPP APPROP FR UNAPPROP BAL OF 2782 FY 2017 BULLETPROOF VEST TO 2782 102001 - POLICE ADMIN - OTHER; \$20,114.54 SUPP APPROP FR UNAPPROP BAL OF FUND 1001 GENERAL FUND TO 1001 102001 - POLICE ADMIN - OTHER; \$20,114.54 INTER-FUND TRF FR 1001 102001 - POLICE ADMIN - ADVANCE OUT TO 2782 102001 - POLICE ADMIN - ADVANCE IN; EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
424. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF RADIOS AND RELATED WARRANTIES AND ACCESSORIES FOR THE SAFETY FORCES (POLICE & FIRE DEPTS); ALTERNATIVELY AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCH IN ACCORD WITH PROCUREMENT PROCESS AUTHORIZED BY ORC AND/OR CANTON COD ORD; AUTHORIZE MAYOR AND/OR SAF DIR TO TRADE IN OLD RADIOS NO LONGER NEEDED FOR MUNICIPAL PURPOSES TOWARDS PURCH TO REDUCE PURCH PRICE; AUTHORIZE MAYOR AND/OR SAF DIR TO DISPOSE OF RADIOS NOT TRADED AND NO LONGER NEEDED FOR MUNICIPAL PURPOSES THRU ANY PROCESS AUTHORIZED BY ORC AND/OR CANTON COD ORD; AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
425. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 5 TO CITY OF CANTON WRF PHOSPHORUS/TOTAL NITROGEN PROJ - CONTRACT NO. 26 WITH SHOOK CONSTRUCTION; MAKE \$352,127.44 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJ (MEMBRANE) FUND TO 5442 206054 WRF PHOSPHORUS (CONSTRUCTION) - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
426. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A THIRD SUPP AGMT TO CANTON/HARTVILLE CONTRACT 2002-66 OF JUNE 19, 2002; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
427. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH OWNERS OF LISTED PARCELS OR DESIGNEE(S) FOR PERM EASEMENTS, TEMP EASEMENTS, PIPELINE LICENSE AGMTS, AND/OR WORK AGMTS NECESSARY FOR PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL OTHER AGMTS WITH OWNERS OF PARCELS LISTED THAT ARE NECESSARY FOR COMPLETION OF PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (BURNHAM HILLS SANITARY SEWER REALIGNMENT PROJ, GP 1220). - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE

COMMUNICATIONS CONTINUED:

428. SERVICE DIRECTOR BARTOS: REQ PRELIM PARTICIPATION LEG WITH OHIO DEPT OF TRANSP FOR PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMTS WITH OHIO DEPT OF TRANSP FOR SIGNALS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (STA-IR77-11.50, PID 100290, GP1268). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
429. STARK COUNTY COMMISSIONERS: REQ ANNEXATION OF 8.363 ACRES, MORE OR LESS, IN PLAIN TOWNSHIP TO CITY OF CANTON (HOF #4). - PLANNING COMMISSION
430. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 10/31/17. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS TAMSAL-FULTON; APPROX 3.95 ACRES; ASSIGN TERRITORY AS B-3 (GENERAL BUSINESS) TO WARD 7; EMERGENCY
Referred to Annexation Committee
- 1ST RDG 2. AMEND APPROP O#41/2017; EMERGENCY (\$15,000.00 APPROP TRF FR 2155 104040 TRAFFIC ENG/PARKING METER FUND - OTHER TO 2155 104040 TRAFFIC ENG/PARKING METER - PERSONNEL)
Referred to Finance Committee
- 1ST RDG 3. AMEND APPROP O#41/2017; EMERGENCY (\$2,500.00 APPROP TRF FR 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER TO 1001 501101 HUMAN RESOURCES ADMIN - OTHER)
Referred to Finance Committee
- 1ST RDG 4. AMEND SECTION 903.07 OF PART NINE OF CODIFIED ORD OF CITY OF CANTON (VISION CLEARANCE OF SHRUBBERY)
Referred to Judiciary Committee
- 1ST RDG 5. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO MULTI-YR AGMT WITH BOARD OF STARK CO. COMMISSIONERS FOR LEASE OF STARK CO. PROP LOCATED ADJACENT TO STARK CO. COURTHOUSE; EMERGENCY (SKATE RINK, ORIGINAL ARCADE CONEYS)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#6 - O#8)**

- 2ND RDG 6. AMEND APPROP O#41/2017; EMERGENCY (\$15,000.00 APPROP TRF FR 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER TO 1001 103001 FIRE ADMIN - OTHER FOR \$5,000.00, TO 1001 504010 INFORMATION TECHNOLOGY MANAGER - OTHER FOR \$2,000.00, AND TO 1001 852001 TREASURER - ADMIN - OTHER FOR \$8,000.00) (FIN AND C&ED)
- 2ND RDG 7. AMEND APPROP O#41/2017; EMERGENCY (\$134,484.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 103001 FIRE ADMIN - OTHER; \$134,484.00 SUPP APPROP FR UNAPPROP BAL OF 2658 FY 2016 ASSIST TO FIREFIGHTERS GRANT FUND TO 2658 103001 FIRE ADMIN - OTHER; \$134,484.00 INTERFUND ADVANCE FR 1001 103001 FIRE ADMIN - ADV OUT - OTHER TO 2658 103001 FIRE ADMIN - ADV IN - OTHER; \$134,484.00 INTERFUND ADVANCE REPAYMENT FR 2658 103001 FIRE ADMIN - ADV OUT - OTHER TO 1001 103001 FIRE ADMIN - ADV IN - OTHER) (FIN)
- 2ND RDG 8. AMEND APPROP O#41/2017; EMERGENCY (\$149,810.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207010 WATER PUMPING - PERSONNEL FOR \$64,810.00 AND TO 5201 207022 WATER DISTRIBUTION - OTHER FOR \$85,000.00; \$4,356.00 SUPP APPROP FR UNAPPROP BAL OF 5215 55TH WATER STREET FUND TO 5215 207013 55TH STREET WATER LINE - OTHER; \$6,664.00 SUPP APPROP FR UNAPPROP BAL OF 5219 OWDA LAKE WATER FUND TO 5219 207015 LAKE LOCAL WATER LINE - OTHER) (FIN)

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

- 245/2017 9. AMEND SECTION 353.03, TIME LIMIT METERED ZONES; NOTICE; HOURS OF OPERATION OF TRAFFIC CODE OF CODIFIED ORD OF CITY OF CANTON
- 246/2017 10. APPROVE AND ACCEPT REPLAT OF OUTLOTS 1118, 1119, 1124, 1132, AND 1192 AND DEDICATION OF FORD MOTOR WAY; EMERGENCY (CCIC & CITY ENGINEER, 3300 BLOCK OF GEORGETOWN RD NE, WARD 4)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, November 20, 2017 in Council Caucus Room at 6:30 PM**

- 1) Finance Committee
- 2) Judiciary Committee
- 3) Annexation Committee

MISCELLANEOUS BUSINESS: Member Smuckler spoke about the murder/suicide that occurred at Affinity Hospital in Massillon, which made national news. The doctor who was shot in the parking lot had given him a second opinion on his health issue. The doctor died in surgery, and the shooter killed himself. He commended Aultman Hospital and Mercy Medical Center and all of the young people working at those hospitals for their great work and said that although he was initially against the Comprehensive Plan, he is now challenging all Council Members to help find money to support the Plan. Member Smuckler thanked everyone who stuck by him during his time of illness, and gave a special thanks to his wife, Randi, who was in the audience. Member Smith asked everyone to remember Member Chester's family in prayer. There was a shooting incident last week in which he lost a family member.

QUOTE OF THE WEEK: *"It is foolish and wrong to mourn the men who died. Rather, we should thank God that such men lived."* General George S. Patton

ADJOURNMENT: 7:22 PM

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, NOVEMBER 20, 2017 @ 7:00 PM