

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

MAY 21, 2018

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Morris Absent

INVOCATION: Robert Fisher, Ward 5 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#11 - O#13)

PUBLIC HEARINGS:

7:00 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; PLANNING COMMISSION RECOMMENDED APPROVAL; CITY WIDE ZONE CHANGE, HARVARD AVE NW @ RT 62 (PARCELS 284873, 280680, 280678, FROM R-4 TO CS, WARD 7); 1700 BLOCKS OF IRA TURPIN WAY NE, BLECKER PL NE, 10TH ST NE, IRWIN PL NE, BERGER PL NE, PETRO PL NE, 9TH ST NE - FR IRA TURPIN WAY NE TO 9TH ST NE AND FR ROSS AVE NE TO THE MIDDLE BRANCH OF NIMISHILLEN CREEK (91 DIFFERENT TAX PARCELS, FROM I-1 TO OS, WARD 4)
(NO SPEAKERS) **O#116/2018**

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): James Woofter expressed concern that at this point the AirBNB's can do whatever they want and Council can do nothing. He cares about the neighborhoods, and asked Council to take that into consideration and vote against the zone change. Marjorie Burkhart circulated a petition signed by residents of the West Park Community who are against the AirBNB's. She stated that they want the R-1 zoning designation to be upheld with no exceptions, and asked for Council's support. Don Joliat requested an explanation of the definition of single family zoning.

INFORMAL RESOLUTIONS:

42. COUNCIL-AS-A-WHOLE: COMMENDING WARD 8 COUNCIL MEMBER, EDMOND MACK, FOR HIS YEARS OF PUBLIC SERVICE. - ADOPTED

COMMUNICATIONS:

225. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF COMMUNITY DEV BLOCK GRANT PROG FUNDS (NO SINGLE AWARD TO EXCEED \$500,000 FOR COMMUNITY DEV ELIGIBLE ACTIVITIES BENEFITTING LOW AND MODERATE INCOME FAMILIES); AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF EMERGENCY SOLUTIONS GRANT PROG FUNDS (NO SINGLE AWARD TO EXCEED \$200,000 FOR HOMELESS PREVENTION ACTIVITIES BENEFITTING VERY LOW INCOME FAMILIES); AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF HOME INVESTMENT PARTNERSHIP PROG FUNDS (NO SINGLE AWARD TO EXCEED \$500,000 FOR PROVIDING HOUSING ACTIVITIES BENEFITTING LOW AND MODERATE INCOME FAMILIES). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
226. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR TO SUBMIT CITY'S 2018 ANNUAL ACTION PLAN TO US DEPT OF HOUSING AND URBAN DEVELOPMENT (HUD) AND TO ACCEPT AND EXECUTE GRANT AGMTS WITH HUD FOR 2018 PROG YR. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
227. FINANCE DIRECTOR CROUSE: REQ \$349,722.22 INTER-FUND TRF FR 1001 GENERAL FUND TO 1154 HOF VILLAGE PROJ FUND AND \$31,162.22 SUPP APPROP FR UNAPPROP BAL OF 1154 HOF VILLAGE PROJ FUND TO 1154 201001 SERVICE DIRECTOR ADMIN - OTHER). - FINANCE COMMITTEE
228. FINANCE DIRECTOR CROUSE: REQ \$183,025.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARK OPERATING AND SPEC REV FUND TO 2530 401052 PARKS REC PROG - OTHER FOR \$69,000.00, TO 2530 401060 SPECIAL PARK FUNDS - OTHER FOR \$29,025.00, AND TO 2530 401090 PARK REDEVELOPMENT - OTHER FOR \$85,000.00. - FINANCE COMMITTEE
229. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER/CONTRACT AMENDMENT NO. 2 IN AMT OF \$21,168.00 FOR PURCHASE OF 378 MICROSOFT HOSTED EXCHANGE, GFI ARCHIVER LICENSES AND ALL APPLICABLE SUPPORT; REQ \$21,168.00 SUPP APPROP FR 1001 GENERAL OPERATING (UNAPPROP BAL) TO 1001 504010 INFORMATION TECHNOLOGY MANAGER (OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
230. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO EXTEND WATER MAIN TO WICKER CREEK NO. 4 AND NO. 5 LOCATED IN PLAIN TWP; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL AGMTS, INCLUDING EASEMENT AGMTS, NECESSARY FOR SAID WATER MAIN EXTENSION; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE

COMMUNICATIONS CONTINUED:

231. SERVICE DIRECTOR HIGHMAN: RATIFY PAYMENT OF MORAL OB FOR EMERGENCY HIGH SERVICE PUMP MOTOR REPAIR AT NORTHEAST WATER TREATMENT PLANT PURSUANT TO CODIFIED ORDINANCE SEC 105.04; AMEND APPROP O#64/2018 WITH \$26,472.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207012 PUMPING MAINTENANCE - OTHER; AUTHORIZE AUDITOR TO PAY MORAL OB TO HANNON ELECTRIC CO FOR AMT NOT TO EXCEED \$6,472.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
232. STARK CTY COMMISSIONERS: REQ ANNEX OF 1.896 ACRES, MORE OR LESS, IN PLAIN TWP TO CITY OF CANTON (44TH ST NE). - PLANNING COMMISSION
233. TREASURER PEREZ: RPT OF 4/30/18 BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 4/30/18. - RECEIVED & FILED
234. TREASURER PEREZ: AMEND SEC 182 OF CANTON CODIFIED ORDINANCES AS MANDATED BY ISSUE 13; AMEND O#64/2018 TO PROVIDE FUNDING FOR TAXPAYER EDUCATION AND ASSISTANCE IN TERMS OF TAX RATE INCREASE. - JUDICIARY COMMITTEE
235. VICTORY SQUARE MGMT: ADVISE OF PLANS TO BE GENERAL PARTNER OF 81 UNIT RESIDENTIAL RENTAL DEVELOPMENT AT 1206 LIPPERT RD NE. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$500,000 FOR PURPOSE OF PAYING COSTS OF REVITALIZATION WITHIN THE CITY AND ADDRESSING PROPERTY CONDITIONS THAT ARE DELETERIOUS TO PUBLIC HEALTH AND SAFETY THROUGH DEMO OF DETERIORATING STRUCTURES AND IMPROVEMENT OF THOSE SITES, THEREBY ENABLING USE OR REUSE OF LANDS WITHIN THE CITY
Referred to Finance Committee
- 1ST RDG 2. PROVIDE FOR ISSUANCE OF A NOTE BY CITY OF CANTON IN ANTICIPATION OF COLLECTION AND PAYMENT OF INCOME TAXES, GENERAL PROPERTY TAXES AND MISC OTHER SOURCES TO CITY OF CANTON IN AMT OF ISSUANCE NOT TO EXCEED \$2,000,000.00; DECLARE NECESSITY OF ISSUANCE OF SAID NOTE PROCEEDS WHICH WILL BE USED FOR PAYOFF OF PREVIOUSLY EXISTING NOTE; EMERGENCY
Referred to Finance Committee
- 1ST RDG 3. AMEND APPROP O#64/2018; EMERGENCY (\$5,000.00 APPROP TRF FR 2799 701001 JUSTICE REINVESTMENT PRETRIAL GRANT FUND - PERSONNEL TO 2799 701001 JUSTICE REINVESTMENT PRETRIAL GRANT FUND - OTHER)
Referred to Finance Committee
- 1ST RDG 4. AUTHORIZE DISSOLVING ROAD RESERVATIONS CURRENTLY PLACED ON TAX PARCELS 280871, 280872, 280873 AND 284986; AUTHORIZE MAYOR OR SERV DIR TO TRANSFER SAME, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO CANTON COMMUNITY IMPROVEMENT CORP FOR SUBSEQUENT TRANSFER TO REFUGE OF HOPE MINISTRIES; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 5. AUTHORIZE MAYOR OR SERV DIR TO NEGOTIATE AND EXECUTE EASEMENT OVER TAX PARCEL 280840 TO STINGRAY VENTURES LLC THAT WILL HAVE NO FORCE AND EFFECT UNLESS SURROUNDING PROPERTIES ARE EFFECTIVELY ACQUIRED BY STINGRAY VENTURES LLC; EMERGENCY
Referred to Environmental & Public Utilities Committee
- 1ST RDG 6. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT AMENDMENTS WITH STARK COUNTY COMMUNITY ACTION AGENCY FOR \$50,000 FOR ENRICHMENT & ACADEMIC MENTORING AND \$30,000 FOR EMPLOYMENT READINESS TRAINING; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 7. AUTHORIZE HIRING OF MR. JAMES BENEKOS AT SALARY OF \$88,888 ANNUALLY WITH 10 DAYS VACATION IN 2018 AND 15 DAYS VACATION FOR EACH YR THEREAFTER, UNTIL HIS CITY ACCRUED TIME CORRELATES WITH APPLICABLE CITY VACATION SCHEDULE; EMERGENCY (WATER DEPT FACILITIES ENGINEER)
Referred to Personnel Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 8. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD, EXECUTE CONSTRUCTION CONTRACT AND ENTER INTO AGMT(S) FOR AND TO RECEIVE GRANT FUNDS IN AMT OF \$890,064.00 AND LOAN FUNDS IN AMT OF \$509,566.00 FROM OHIO PUBLIC WORKS COMMISSION FOR 47TH ST NW STORM SEWER REPAIR PROJ, GP 1241 & GP 1198; AUTHORIZE AUDITOR TO CREATE 4585 47TH ST NW/PACKARD AVE NW 78-IN STORM SEWER REPAIR PROJ, GP 1198 AND 4586 47TH ST NW STORM SEWER REPAIR PROJ, GP 1241 FUNDS; AMEND APPROP O#64/2018; EMERGENCY (\$896,770.00 SUPP APPROP FR UNAPPROP BAL OF 4585 47TH ST NW/PACKARD AVE NW 78-IN STORM SEWER REPAIR PROJ, GP 1198 FUND TO 4585 202052 47TH ST NW/PACKARD AVE NW 78-IN STORM SEWER REPAIR PROJ, GP 1198 - OTHER; \$502,860.00 SUPP APPROP FR UNAPPROP BAL OF 4586 47TH ST NW STORM SEWER REPAIR PROJ, GP 1241 FUND TO 4586 202053 47TH ST NW STORM SEWER REPAIR PROJ, GP 1241 - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 9. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT WITH EAST OHIO GAS CO DBA DOMINION ENERGY OHIO FOR RELOCATION OF EXISTING LINES; AMEND APPROP O#64/2018; EMERGENCY (\$380,771.00 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PROJ, GP 1103 FUND TO 4566 202079 MAHONING RD CORRIDOR PROJ, GP 1103 - OTHER)
Referred to Environmental & Public Utilities and Public Property Capital Improvement Committees
- 1ST RDG 10. DECLARE CERTAIN PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZE ITS BID FOR SALE; EMERGENCY (STEAM LOCOMOTIVE AND TENDER)
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#11 - O#13)**

- 2ND RDG 11. **RETAINED FROM 4/2/18** AMEND CHAPTER 1123, DEFINITIONS OF TITLE FIVE AND AMEND CHAPTER 1141, R-4 MULTI-FAMILY RESIDENTIAL DISTRICT OF TITLE SEVEN OF CODIFIED ORDINANCES OF CITY OF CANTON PUB HRG 6/4/18 @ 7:00 PM (JUD)
- 2ND RDG 12. AUTHORIZE DISCHARGE OF DEMO LIENS, ASSESSMENTS, PENALTIES, AND INTEREST ON PROP KNOWN AS PARCEL #226346; EMERGENCY (C&ED)
- 2ND RDG 13. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH THRASER GROUP FOR DESIGN OF SITE MASTER PLAN FOR CANTON WATER DEPT'S DISTRIBUTION SHOP; AMEND APPROP O#64/2018; EMERGENCY (\$49,920.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 WATER DISTRIBUTION - OTHER) (FIN)

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

- 116/2018 14. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (CITY WIDE ZONE CHANGE, HARVARD AVE NW @ RT 62 (PARCELS 284873, 280680, 280678, FROM R-4 TO CS, WARD 7; 1700 BLOCKS OF IRA TURPIN WAY NE, BLECKER PL NE, 10TH ST NE, IRWIN PL NE, BERGER PL NE, PETRO PL NE, 9TH ST NE - FR IRA TURPIN WAY NE TO 9TH ST NE AND FR ROSS AVE NE TO THE MIDDLE BRANCH OF NIMISHILLEN CREEK - 91 DIFFERENT TAX PARCELS, FROM I-1 TO OS, WARD 4) PUB HRG 5/21/18 @ 7:00 P.M.
- 117/2018 15. AMEND APPROP O#64/2018; EMERGENCY (\$210,000.00 APPROP TRF FR 7508 852101 INCOME TAX - ADMIN - OTHER TO 7508 852003 DISTRICT TWR JEDD - OTHER FOR \$5,000.00, TO 7508 852004 DISTRICT SM JEDD - OTHER FOR \$190,000.00 AND TO 7508 852005 DISTRICT FP JEDD - OTHER FOR \$15,000.00; \$180,000.00 SUPP APPROP FR UNAPPROP BAL OF 7508 JACKSON-CANTON JEDD CLEARING FUND TO 7508 852004 DISTRICT SM JEDD - OTHER)
- 118/2018 16. AMEND APPROP O#64/2018; EMERGENCY (\$93,000.00 APPROP TRF FR 5701 101501 CODE ENFORCEMENT ADMIN - PERSONNEL TO 5701 307001 ENVIRONMENTAL HEALTH ADMIN - PERSONNEL)
- 119/2018 17. AMEND APPROP O#64/2018; EMERGENCY (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 2314 FAMILY HEALTH FUND TO 2314 301001 FAMILY HEALTH - 700 - OTHER)
- 120/2018 18. AUTHORIZE MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT; EXECUTE PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; RECEIVE GRANT FUNDS IN AMT OF \$528,313 AND ZERO PERCENT INTEREST LOAN IN AMT OF \$549,876 FOR RIDGEWOOD EAST PHASE I PART I WATER MAIN REPLACEMENT PROJ AND RIDGEWOOD EAST PHASE I, PART 2 (22ND/24TH ST NE) ROADWAY RECONSTRUCTION PROJ, GP 1123; RECEIVE GRANT FUNDS IN AMT OF \$150,000 AND LOAN IN AMT OF \$482,625 FOR ROADWAY PROJ; AUTHORIZE AUDITOR TO ESTABLISH 5237 RIDGEWOOD EAST PHASE I PART I WATER MAIN REPLACEMENT PROJ FUND AND 4584 RIDGEWOOD EAST PHASE I PART 2 (22ND/24TH ST NE) ROADWAY RECONSTRUCTION PROJ, GP 1123 FUND; AMEND APPROP O#64/2018; EMERGENCY (\$1,078,189.00 SUPP APPROP FR UNAPPROP BAL OF 5237 RIDGEWOOD EAST PHASE I PART I WATER MAIN REPLACEMENT PROJ FUND TO 5237 207043 RIDGEWOOD EAST PHASE I PART I WATER MAIN REPLACE PROJ - OTHER; \$632,625.00 SUPP APPROP FR UNAPPROP BAL OF 4584 RIDGEWOOD EAST PHASE I PART 2 (22ND/24TH ST NE) ROADWAY RECONSTRUCTION PROJ, GP 1123 FUND TO 4584 202051 RIDGEWOOD EAST PHASE I PART 2 (22ND/24TH ST NE) ROADWAY RECONSTRUCTION PROJ, GP 1123 - OTHER)

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

- 121/2018** 19. AMEND APPROP O#64/2018; EMERGENCY (\$2,308,261.43 SUPP APPROP FR UNAPPROP BAL OF 5235 CANTON SOUTH-CLEVELAND AVE (REGIONALIZATION) WATERLINE EXTENSION PROJ FUND TO 5235 207053 CANTON SOUTH-CLEVELAND AVE (REGIONALIZATION) WATERLINE EXTENSION PROJ - OTHER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, June 4, 2018 in Council Caucus Room at 6:15 PM**

- 1) Finance Committee
- 2) Personnel Committee
- 3) Community & Economic Development Committee
- 4) Public Property Capital Improvement Committee
- 5) Environmental & Public Utilities Committee

LAW DEPARTMENT PRESENTATION

MISCELLANEOUS BUSINESS: Member Smuckler asked Law Director Bates-Aylward to confirm that the AirBNB zone change will come before Council again in two weeks, and asked if she's prepared to explain the zoning designations, including rental properties. Law Director Bates-Aylward agreed to do a presentation for Council at the next meeting explaining the zoning as it currently exists. Member Smuckler teased Member Mack stating he pulled off a political coup by getting drinking, getting high and increasing taxes all in one fell swoop. He thanked Member Mack for being instrumental in getting so many things off the ground and doing it mostly with no money.

QUOTE OF THE WEEK: *"Happiness is having a large, loving, caring, close-knit family - in another city."* -George Burns

ADJOURNMENT: 7:40 P.M.