

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

OCTOBER 15, 2018

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: President Schulman and Member Morris Absent

INVOCATION: John Mariol, Ward 7 Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem Smith

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#5 - O#7; O#8 Withdrawn)

PUBLIC HEARINGS:

- 7:00 PM AN ORDINANCE AMENDING O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; PLANNING COMMISSION RECOMMENDED APPROVAL; CITY WIDE ZONE CHANGE, RT 62 & KIRBY AVE NE (PARCELS 305295, 380336, 380337, 304736, 304674, 301700, 304728, 301585, 301476, 302122 & 10002002) FROM B-3 (GENERAL BUSINESS) & R-1A (SINGLE FAMILY RESIDENTIAL) TO B-4 (SPECIAL BUSINESS), WARD 6 (NO SPEAKERS) **SEE O#210/2018**
- 7:01 PM AN ORDINANCE AMENDING O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; PLANNING COMMISSION RECOMMENDED APPROVAL; 2528 FAIRCREST ST SW (PARCELS 8300025 & 8300004) FROM B-3 (GENERAL BUSINESS) TO PI-1 (PLANNED LIGHT INDUSTRIAL) FOR OHIO POWER CO), WARD 5 (NO SPEAKERS) **SEE O#211/2018**

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): None

INFORMAL RESOLUTIONS:

55. MAJORITY LEADER SMITH: AUTHORIZE AND DIRECT SERV DIR TO ENTER INTO PURCH ORDER IN AMT NOT TO EXCEED \$48,930.00 WITH STRAWSER CONSTRUCTION, INC. FOR CRACK SEALING OF CITY STREETS. - ADOPTED

COMMUNICATIONS:

379. AT-LARGE MEMBER MINOR SMITH MAJORITY LEADER CHRIS SMITH AT-LARGE MEMBER SMUCKLER MBR GREG HAWK, WARD 1 MBR NATHANIEL CHESTER, WARD 2 MBR ROBERT FISHER, WARD 5 MBR KEVIN HALL, WARD 6: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO FUNDING AGMT WITH CANTON REGIONAL CHAMBER OF COMMERCE IN AMT OF \$175,000.00 FOR PURPOSE OF ADVANCING, ENCOURAGING, AND PROMOTING INDUSTRIAL, ECONOMIC, COMMERCIAL AND CIVIC DEVELOPMENT. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
380. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 9/28/18. - RECEIVED & FILED
381. AUDITOR MALLONN: MTHLY RPT BY FUND FOR 9/1/18 THRU 9/28/18. - RECEIVED & FILED
382. AUDITOR MALLONN: YRLY RPT BY FUND FOR 1/1/18 THRU 9/28/18. - RECEIVED & FILED
383. COURT ADMIN KOCHERA: AUTHORIZE AUDITOR TO PAY \$14,343.00 MORAL OB TO STARK MENTAL HEALTH & ADDICTION RECOVERY BD & DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
384. COURT ADMIN KOCHERA: REQ CREATION OF #2792 RECOVERY COURT ATP FUND WITHIN JUDGES ADMIN ORG 701001 AND INITIAL \$20,513.00 APPROP FR UNAPPROP BAL OF #2792-701001 RECOVERY COURT ATP FUND TO OTHER #2792-701001 RECOVERY COURT ATP FUND. - FINANCE COMMITTEE
385. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO JOINT ECONOMIC DEVELOPMENT DISTRICT AGMT (JEDD) WITH JACKSON TWP AND COMDOC/GLOBAL IMAGING SOLUTIONS, INC. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
386. PLANNING COMMISSION: REQ REPLAT OF LOTS 63, 64 & 65, NKA CANTON CITY LOTS 27018, 27019 & 27020, TAX PARCEL #10010490, LOCATED AT 415 GIRARD AVE NE FOR MAURICE TURNER (WARD 4). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
387. PLANNING COMMISSION: REQ REPLAT OF PARTS OF LOTS 21811, 21812 & 21813 AND DEDICATION OF PART OF SHORB AVE NW, AKA TAX PARCEL 240573 LOCATED AT 2909 CLEVELAND AVE NW (CANTON CITY ENGINEER'S OFFICE FOR KOSTA PETROVSKI), WARD 7. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
388. PLANNING COMMISSION: REQ REPLAT OF CANTON CITY OUT LOT 1406 AND CITY LOTS 43215-43220, 43277-43283, 43307-43315, 43352 & 43353 LOCATED AT 2000 BLOCK OF BLAKE AVE NW FOR HALL OF FAME VILLAGE (WARD 7). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

COMMUNICATIONS CONTINUED:

389. PLANNING COMMISSION: REQ REPLAT OF CITY LOTS 22486-22489, AKA TAX PARCELS 218333, 218323, 230478 & 230477 LOCATED AT 2100 BLOCK OF 7TH ST NE FOR HABITAT FOR HUMANITY, WARD 4. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
390. PLANNING COMMISSION: REQ REPLAT OF OUTLOTS 1381 & 1383 LOCATED ON FAIRCREST ST SW AT GREENTREE AVE SW FOR NEW DAWN REAL ESTATE LLC, WARD 4. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
391. PLANNING COMMISSION: REQ CITY WIDE ZONE CHANGE OF SEVERAL PARCELS FOR AULTMAN HOSPITAL VICINITY FR R-1A (SINGLE FAMILY RESIDENTIAL) & PCS (PLANNED COMMUNITY SERVICE) TO CS (COMMUNITY SERVICE) FOR STRATEGIC REDEVELOPMENT PLAN; AND TAX PARCEL 280019 LOCATED ON MAPLE AVE NE AND 23 RD ST NE FR OS (OPEN SPACE) TO R-1A (SINGLE FAMILY RESIDENTIAL) FOR CONSTRUCTION OF SINGLE FAMILY HOUSING BY HABITAT FOR HUMANITY. - JUDICIARY COMMITTEE
392. PLANNING COMMISSION: REQ ZONE CHANGE AT FAIRCREST AND GREENTREE AVE SW FR B-3 (GENERAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) FOR NEW DAWN REAL ESTATE LLC FOR CONVENIENCE STORE AND FILLING STATION (SPEEDWAY) AND VARIANCES FR PLANNING & ZONING CODE REGARDING SIGNAGE, WARD 4. - JUDICIARY COMMITTEE
393. PROP OWNER NEW DAWN REAL ESTATE LLC: REQ ZONE CHANGE OF PARCEL #10007641 LOCATED AT NW CORNER OF GREENTREE SW & FAIRCREST ST FOR NEW DAWN DEVELOPMENT (WARD 4). - PLANNING COMMISSION
394. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF TABLETS AND RELATED WARRANTIES AND ACCESSORIES FOR POLICE DEPT; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCH OF SAID ITEMS IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO CREATE FUND 2791 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT 2018 - DJ-BX-0177; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; REQ \$37,433.50 SUPP APPROP FR UNAPPROP BAL OF FUND 2791 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT 2018 - DJ-BX-0177 TO 2791 102001 POLICE ADMIN - OTHER. - FINANCE COMMITTEE
395. SERVICE DIRECTOR HIGHMAN: REQ CONSENT LEGISLATION WITH ODOT FOR PID 90973 - STA-77-8.40/VAR (I-77 BETWEEN NAVARRE RD SW AND 15TH ST SW) - GP 1281 PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO DONATE CITY-OWNED PROPERTY FOR PERMANENT LIMITED ACCESS RIGHT-OF-WAY AND TEMP EASEMENT NECESSARY FOR CONSTRUCTION OF SAID PROJ. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
396. SERVICE DIRECTOR HIGHMAN: REQ CONSENT LEGISLATION WITH ODOT FOR PID 84654 - STA-US62-22.19 - GP1243 PROJ (US-62 FR 1-77 TO MARKET AVE). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
397. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT IN AMT OF \$33,176.09 WITH GLAUS, PYLE, SCHOMER, BURNS & DEHAVEN, INC. (GPD) FOR ENGINEERING SERVICES RELATED TO PID'S 90365 & 91594 - MAHONING RD CORRIDOR, PHASE 2 - GP 1103 ENGINEERING CONTRACT; RETROACTIVELY AUTHORIZE ANY ACTIONS TAKEN PRIOR TO FINALIZATION OF SAID CHANGE ORDER TO FACILITATE PROJ AND AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED TO SAME; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
398. SERVICE DIRECTOR HIGHMAN: AUTHORIZE AND DIRECT AUDITOR TO PAY \$20,862.00 MORAL OB OWED FOR CONSTRUCTION ENGINEERING SERVICES RELATED TO 38TH ST NW WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJ TO OMNIPRO SERVICES, LLC; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
399. SERVICE DIRECTOR HIGHMAN: REQ INFORMAL RESOLUTION APPROVING PURCH ORDER IN AMT OF \$48,930.00 FOR CRACK SEALING OF CITY STREETS (STRAWSER CONSTRUCTION, INC.). - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

400. SERVICE DIRECTOR HIGHMAN
SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SERV DIR TO PURCH PARCEL 527159 (2402 30TH ST NE) IN AMT NOT TO EXCEED \$220,000.00; AUTHORIZE MAYOR AND OR SERV DIR OR PURCH PARCEL 5211949 (2430 30TH ST NE) IN AMT NOT TO EXCEED \$45,000.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; REQ \$265,000.00 APPROP TRF FR 4501 103001 758.06 FIRE - ADMIN - OTHER TO 4501 201001 758.03 SERVICE DIRECTOR ADMIN - OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. RESTRICT DISTANCE BETWEEN STORE THAT SELLS PACKAGED OR SINGLE CANS OR BOTTLES OF BEER, WINE OR LIQUOR AND FOLLOWING LOCATIONS: ANOTHER SUCH STORE; SEXUALLY ORIENTED BUSINESS; ALL CHURCHES, TEMPLES OR OTHER PLACES OF WORSHIP; ALL CHILD CARE FACILITIES; SCHOOLS; PUBLIC PARKS; HOSPITALS; AND HISTORIC LANDMARKS. SHALL NOT APPLY TO B-5 CENTRAL BUSINESS DISTRICTS, B-6 SHOPPING CTR DISTRICTS, HALL OF FAME VILLAGE DISTRICT, OR TARGET INVESTMENT ZONES IDENTIFIED IN TITLE XIX, CHAPTER 1176 OF PLANNING & ZONING CODE; ADDITION OF DEFINITION OF PACKAGED LIQUOR STORES TO TITLE VII, CHAPTER 1131; AMEND TITLE XIII, CHAPTER 1146, BULK AND AREA REQUIREMENTS - BUSINESS AND INDUSTRIAL ZONING DISTRICTS; EMERGENCY
Referred to Judiciary Committee **PUB HRG 10/29/18 @ 7:00 PM**
- 1ST RDG 2. AUTHORIZE DISSOLVING ROAD RESERVATIONS CURRENTLY PLACED ON TAX PARCELS 285060 AND 285061; AUTHORIZE MAYOR OR SERV DIR TO TRANSFER SAME, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO CANTON COMMUNITY IMPROVEMENT CORP FOR SUBSEQUENT TRANSFER TO FIRST CHURCH OF RESURRECTION; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 3. AMEND APPROP O#64/2018; EMERGENCY (\$10,000.00 APPROP TRF FR 2318 301001 LOCAL AIDS PREVENTION - 600 PAYROLL TO 2318 301001 LOCAL AIDS PREVENTION - 700 OTHER DIRECT COSTS; \$4,200.00 APPROP TRF FR 2312 301001 V.D. - I03 GONORRHEA - 600 PAYROLL TO 2312 301001 V.D. - I03 GONORRHEA - 700 OTHER DIRECT COSTS)
Referred to Finance Committee
- 1ST RDG 4. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$3,087.20 TO EJ USA, INC. AND RETROACTIVELY AUTHORIZE \$16,904.96 PAYMENT TO EJ USA, INC. AS MORAL OB; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#5 - O#7)**

- 2ND RDG 5. AUTHORIZE AMENDMENT OF JOB CREATION AGMT WITH STOLLE MACHINERY; THE JACKSON-CANTON JOINT ECONOMIC DEVELOPMENT DISTRICT SM CONTRACT; AND JACKSON-CANTON DISTRICT SM TAX AGMT; EMERGENCY (C&ED)
- 2ND RDG 6. AMEND APPROP O#64/2018; EMERGENCY (\$7,124.00 SUPP APPROP FR UNAPPROP BAL OF 7131 DOWNTOWN CANTON SPEC IMP DIST FUND TO 7131 801001 AUDITOR - ADMIN - OTHER) (FIN)
- 2ND RDG 7. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES; EMERGENCY (E&PU)

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

8. AUTHORIZE MAYOR OR SAF/SERV DIR TO NEGOTIATE AND ENTER INTO CONTRACT WITH COMMUNITY BUILDING PARTNERSHIP OF STARK CO. INC FOR HOUSING IMPROVEMENT AND MAINTENANCE GRANT PROG; AUTHORIZE AUDITOR TO DRAW WARRANTS FR ISSUE 13 NEIGHBORHOOD FUND IN AMT NOT TO EXCEED \$200,000.00; EMERGENCY
- 210/2018 9. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (CITY WIDE, PARCELS 305295, 380336, 380337, 304736, 304674, 301700, 304728, 301585, 301476, 302122 & 10002002, RT 62 & KIRBY AVE NE, WARD 6) **PUB HRG 10/15/18 @ 7:00 PM**
- 211/2018 10. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCELS 8300025 & 8300004, 2528 FAIRCREST ST SW FOR OH POWER CO, WARD 5) **PUB HRG 10/15/18 @ 7:01 PM**
- 212/2018 11. AMEND APPROP O#64/2018; EMERGENCY (\$47,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102090 POLICE - CANTON CRIME LAB - PERSONNEL)

AMENDED

- 213/2018 12. AMEND APPROP O#64/2018; EMERGENCY (\$69,000.00 SUPP APPROP FR UNAPPROP BAL OF 2160 VACANT/FORECLOSURE EXP FUND TO 2160 101501 CODE ENFORCEMENT ADMIN - OTHER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, October 22, 2018 in Council Caucus Room at 6:30 PM**

- 1) Finance Committee
- 2) Judiciary Committee
- 3) Community & Economic Development Committee

MISCELLANEOUS BUSINESS: Member Minor Smith announced that Dr. Bernice King, daughter of Martin Luther King, Jr. and Coretta Scott King, will be the keynote speaker at the Fair Housing Luncheon on October 30th from 11:30 to 1:30 at the Kent Stark Conference Center. President Pro Tem Smith reminded everyone to purchase their tickets for the NAACP Dinner where Marcia Fudge will be the keynote speaker. She announced that she will be a year older on Wednesday and asked that everyone wish her a happy birthday. Clerk Dougherty announced that on behalf of all Council Members he completed the certified public records and Sunshine Law training to fulfill the State requirement.

QUOTE OF THE WEEK: *"Don't tell your problems to people: eighty percent don't care and the other 20 percent are glad you have them."* - Lou Holtz

ADJOURNMENT: 7:15 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 22, 2018 @ 7:00 PM