

**FINAL
A G E N D A
7:00 PM**

CANTON CITY COUNCIL

OCTOBER 29, 2018

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: President Schulman and Member Minor Smith Absent

INVOCATION: Frank Morris, Ward 9 Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem Smith

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#9 & O#10; 2nd Rdg O#11- O#23; O#9 & O#10 Adopted on 1st Rdg; O#23 Adopted on 2nd Rdg; O#25 Adopted as Amended)

PUBLIC HEARINGS:

7:00 PM AN ORDINANCE RESTRICTING THE DISTANCE BETWEEN A STORE THAT SELLS PACKAGED OR SINGLE CANS OR BOTTLES OF BEER, WINE OR LIQUOR, AND THE FOLLOWING LOCATIONS: ANOTHER SUCH STORE; A SEXUALLY ORIENTED BUSINESS; ALL CHURCHES, TEMPLES OR OTHER PLACES OF WORSHIP; ALL CHILD CARE FACILITIES; SCHOOLS; PUBLIC PARKS; HOSPITALS; AND HISTORIC LANDMARKS. THIS ORDINANCE SHALL NOT APPLY TO B-5 CENTRAL BUSINESS DISTRICTS, B-6 SHOPPING CENTER DISTRICTS, THE HALL OF FAME VILLAGE DISTRICT OR THE TARGET INVESTMENT ZONES IDENTIFIED IN TITLE XIX, CHAPTER 1176 OF THE PLANNING AND ZONING CODE; THE ADDITION OF THE DEFINITION OF PACKAGED LIQUOR STORES TO TITLE VII, CHAPTER 1131; AMENDING TITLE XIII, CHAPTER 1146, BULK AND AREA REQUIREMENTS-BUSINESS AND INDUSTRIAL ZONING DISTRICTS; PLANNING COMMISSION RECOMMENDED APPROVAL (NO SPEAKERS) **DEFEATED**

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Pete DiGiacomo is concerned with incidents such as the recent shooting in Pittsburgh, and believes it's because of the President always spewing out racist remarks. He is scared for his grandchildren to attend certain events, and feels that either laws need to be tougher or these violent individuals need to be shot. He suggested a moment of silence for everyone who has lost their lives to senseless violence. Roberta Covington commended Council on their actions to bring more computer technology to Canton and on the improvements along Mercy Drive. She is awaiting positive comments regarding the 3rd Street SE Bridge. She mentioned an old historic building that was recently demolished, and asked what can be done to help preserve these buildings in Canton.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

- 415. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ENTERPRISE ZONE AGMT WITH SLESNICK REALTY CO, LLC/S. SLESNICK CO, INC. TO PROVIDE 10 YR 75% REAL PROPERTY TAX EXEMPTION AND AUTHORIZE AUDITOR TO MAKE PAYMENTS TO CANTON CITY SCHOOLS BD OF ED AS REQUIRED BY ORC SEC 5709.82(C) (PARCEL #10009723). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

- 416. FINANCE DIRECTOR CROUSE: REQ \$44,056.05 SUPP APPROP FR UNAPPROP BAL OF 2185 URBAN TIF FUND TO 2185 501001 MAYOR ADMIN - OTHER FOR PAYMENT TO HISTORIC ONESTO, LLC. - FINANCE COMMITTEE

- 417. FINANCE DIRECTOR CROUSE: REQ \$164,000.00 SUPP APPROP FR UNAPPROP BAL OF 2815 FEMA SAFER GRANT 2015 FUND TO 2815 103001 FIRE ADMIN - OTHER. - FINANCE COMMITTEE

- 418. FINANCE DIRECTOR CROUSE: REQ \$120,500.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 753001 LAW ADMIN - PERSONNEL FOR \$80,000.00, TO 1001 901001 CIVIL SERVICE - PERSONNEL FOR \$20,500.00 AND TO 1001 802001 AUDITOR - CLERK OF COURTS ATM - OTHER FOR \$20,000.00; \$8,225.00 SUPP APPROP FR UNAPPROP BAL OF 5701 BUILDING CODE FUND TO 5701 753001 LAW ADMIN - PERSONNEL (YEAR END ADJUSTMENTS). - FINANCE COMMITTEE

- 419. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCHASE OF RADIOS AND RELATED WARRANTIES AND ACCESSORIES FOR POLICE DEPT; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCHASE OF SAID ITEMS IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY ORC AND/OR CANTON CODIFIED ORDINANCES; AUTHORIZE MAYOR AND/OR SAF DIR TO TRADE IN OLD RADIOS NO LONGER NEEDED FOR MUNICIPAL PURPOSES TOWARDS PURCHASE OF SAID ITEMS; AUTHORIZE MAYOR AND/OR SAF DIR TO DISPOSE OF ANY AND ALL RADIOS NOT TRADED IN AND NO LONGER NEEDED FOR MUNICIPAL PURPOSES THRU ANY PROCESS AUTHORIZED BY ORC AND/OR CANTON CODIFIED ORDINANCES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; REQ \$200,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102001 POLICE ADMIN - OTHER. - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

420. SERVICE DIRECTOR HIGHMAN: CERTIFY AMTS INCLUDED IN LIST OF PROPERTIES TO STARK CTY AUDITOR TO BE ENTERED UPON TAX DUPLICATES AS LIENS FOR UNPAID INVOICES TO STREET DEPT; AUTHORIZE MAYOR AND/OR SERV DIR, IN CONJUNCTION WITH STARK CTY AUDITOR, TO WAIVE CERTIFIED LIEN AMTS ONCE THEY ARE EITHER PAID OR PROP OWNER PROVIDES SUFFICIENT PROOF THAT LIEN AMTS WERE UNJUST OR UNWARRANTED. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH CANTON REGIONAL CHAMBER OF COMMERCE FOR GRANT OF CITY FUNDS IN AMT NOT TO EXCEED \$175,000.00 FOR ECONOMIC AND CIVIC DEVELOPMENT OF COMMUNITY; EMERGENCY
Referred to Community & Economic Development and Finance Committees
- 1ST RDG 2. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$4,217 TO ORIANA HOUSE; EMERGENCY (GPS & ELECTRONIC MONITORING OF DEFENDANTS)
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZE DISSOLVING RIGHT OF WAY RESERVATIONS OR ROAD RESERVATIONS CURRENTLY ASSIGNED TO PERMANENT PARCEL NO'S 281929 AND 283436; AUTHORIZE MAYOR OR SERV DIR TO TRANSFER SAME, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO CANTON COMMUNITY IMPROVEMENT CORP FOR SUBSEQUENT TRANSFER TO TIMKENSTEEL CORP; RECOMMEND INCLUDING IN DEED TRANSFER(S) EITHER RESERVATION FOR STREET RIGHT OF WAY PURPOSE OR INCLUDE REVERSION CLAUSE GRANTING LAND BACK TO CITY IN EVENT TIMKENSTEEL DR IS NOT PERMANENTLY CLOSED OR VACATED FROM PUBLIC USE; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 4. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMOUNT NOT TO EXCEED \$11,117.23 TO VERIZON WIRELESS; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO CONTRACT FOR PURCHASE OF SELF-CONTAINED BREATHING APPARATUS EQUIP, RELATED WARRANTIES AND ACCESSORIES FOR FIRE DEPT; OR TO ALTERNATIVELY ENTER INTO CONTRACT FOR SAID PURCHASES PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO RENAME 2811 COURT SECURITY FUNDING GRANT TO FUND 2811 - 2017 ASSISTANCE TO FIREFIGHTERS GRANT; AMEND APPROP O#64/2018; EMERGENCY (\$166,000.00 SUPP APROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 103001 FIRE ADMIN - OTHER; \$166,000.00 SUPP APROP FR UNAPPROP BAL OF 2811 2017 ASSIST TO FIREFIGHTERS GRANT FUND TO 2811 103001 FIRE ADMIN - OTHER; \$150,910.00 INTER-FUND TRF/ADVANCE FR 1001 103001 FIRE ADMIN - OTHER ADVANCE OUT TO 2811 103001 FIRE ADMIN - OTHER ADVANCE IN; \$15,090.00 TRF/ADVANCE FR 1001 103001 FIRE ADMIN - OTHER TRF OUT TO 2811 103001 FIRE ADMIN - OTHER TRF IN)
Referred to Public Property Capital Improvement and Finance Committees
- 1ST RDG 6. AMEND APPROP O#64/2018; EMERGENCY (\$264,599.64 SUPP APROP FR UNAPPROP BAL OF 4573 SIB LOAN 12TH ST N. CORR. PRJ FUND TO 4573 202077 GP 1098 12TH ST N. CORR. PRJ - OTHER)
Referred to Finance Committee
- 1ST RDG 7. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCHASE OF ONE (1) CAMERA INSPECTION TRUCK FOR COLLECTION SYSTEMS DEPT; OR TO ALTERNATIVELY ENTER INTO CONTRACT FOR SAID PURCHASE PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AMEND APPROP O#64/2018; EMERGENCY (\$235,829.00 APPROP TRF FR 5410 206006 COLLECTION SYSTEM DEPT - PERSONNEL TO 5410 206006 COLLECTION SYSTEM - OTHER)
Referred to Public Property Capital Improvement and Finance Committees
- 1ST RDG 8. AUTHORIZE AUDITOR TO CREATE 4587 NAVARRE RD SIGNAL UPGRADE PROJ FUND; AMEND APPROP O#64/2018; EMERGENCY (\$1,086,895.00 SUPP APROP FR UNAPPROP BAL OF 4587 NAVARRE RD SIGNAL UPGRADE PROJ, PID 76007, GP 1127 FUND TO 4587 202054 NAVARRE RD SIGNAL UPGRADE PROJ, PID 76007, GP 1127 - OTHER)
Referred to Public Safety & Thoroughfares and Finance Committees

(COUNCIL RECESSED AT 7:15 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS O#9 AND O#10; RECONVENED AT 7:17 PM)

- 218/2018 9. AUTHORIZE AMENDMENT OF TIMKEN/STARK STATE JOINT ECONOMIC DEVELOPMENT DISTRICT AGMT AND TAX SHARING AGMT WITH JACKSON TWP; EMERGENCY (JEDD)
Referred to Community & Economic Development Committee
- 219/2018 10. AUTHORIZE AMENDMENT OF FITZPATRICK JOINT ECONOMIC DEVELOPMENT DISTRICT AGMT AND TAX SHARING AGMT WITH JACKSON TWP; EMERGENCY (JEDD)
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#11 - O#23; O#23 ADOPTED)

- 2ND RDG 11. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$14,343.00 TO STARK MENTAL HEALTH & ADDICTION RECOVERY BOARD; EMERGENCY (PMT OF MENTAL HEALTH CASE COORDINATOR POSITION FOR REMAINDER OF 2018) (FIN)
- 2ND RDG 12. AUTHORIZE MAYOR TO ACCEPT RECOVERY COURT ATP FUNDS FR THE OHIO DEPT OF MENTAL HEALTH & ADDICTION SERVS ON AN ANNUAL BASIS; AUTHORIZE AUDITOR TO CREATE 2792 RECOVERY COURT ATP FUND; AMEND O#64/2018; EMERGENCY (\$20,513.00 SUPP APPROP FR UNAPPROP BAL OF 2792 701001 RECOVERY COURT ATP FUND TO 2792 701001 RECOVERY COURT ATP - OTHER) (FIN)
- 2ND RDG 13. APPROVE AND ACCEPT REPLAT OF LOTS 63, 64 AND 65; EMERGENCY (NKA CANTON CITY LOTS 27018, 27019 AND 27020, PARCEL #10010490 @ 415 GIRARD AVE NE FOR MAURICE TURNER, WARD 4) (PS&T)
- 2ND RDG 14. APPROVE AND ACCEPT REPLAT OF PARTS OF LOTS 21811, 21812 AND 21813 AND DEDICATION OF PART OF SHORB AVENUE NW; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PURCH AGMT WITH KOSTA PETROVSKI IN AMT NOT TO EXCEED \$4,475.00 FOR ACQUISITION OF PUBLIC STREET RIGHT OF WAY; EMERGENCY (PARCEL #240573 @ 2909 CLEVELAND AVE NW, WARD 7) (PS&T)
- 2ND RDG 15. APPROVE AND ACCEPT REPLAT OF OUT LOT 1406 AND LOTS 43215 - 43220, 43277 - 43283, 43307 - 43315, 43352 AND 43353; EMERGENCY (2000 BLOCK OF BLAKE AVE. NW FOR HALL OF FAME VILLAGE LLC, WARD 7) (PS&T)
- 2ND RDG 16. APPROVE AND ACCEPT REPLAT OF LOTS 22486 - 22489; EMERGENCY (PARCEL #218333, 218323, 230478, 230477 @ 2100 BLOCK OF 7TH ST NE, BETWEEN BELDEN AVE NE AND GOBEL AVE NE, ON NORTH SIDE OF STREET FOR HABITAT FOR HUMANITY, WARD 4) (PS&T)
- 2ND RDG 17. APPROVE AND ACCEPT REPLAT OF OUTLOTS 1381 & 1383; EMERGENCY (FAIRCREST ST SW AT GREENTREE AVE SW FOR NEW DAWN REAL ESTATE LLC, WARD 4) (PS&T)
- 2ND RDG 18. AUTHORIZE MAYOR 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 MAKE SUCH PURCH PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO CREATE 2791 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT 2018-DJ-BX-0177; AMEND APPROP O#64/2018; EMERGENCY (\$37,433.50 SUPP APPROP FR UNAPPROP BAL OF 2791 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT 2018 DJ-BX-0177 TO 2791 102001 POLICE ADMIN - OTHER) (FIN)
- 2ND RDG 19. AUTHORIZE AND CONSENT TO DECK REPLACEMENT AND PAINTING OF SFN 7603576 STA-77-9.12 OVER MARKET AVE., CLEVELAND AVE. AND 15TH ST.; REPLACEMENT OF SFN 7603606 STA-77-9.38 OVER WEST BRANCH OF NIMISHILLEN CREEK AND SFN 7603665 STA-30-14.96 CR (US 30 WB RAMP TO I-77 NB) OVER NIMISHILLEN CREEK; AUTHORIZE MAYOR OR SERV DIR TO DONATE CITY-OWNED PROP FOR PERMANENT LIMITED ACCESS RIGHT-OF-WAY AND TEMPORARY EASEMENT; EMERGENCY (PID 90973) (PS&T)
- 2ND RDG 20. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT IN AMT NOT TO EXCEED \$33,176.09 WITH GLAUS, PYLE, SCHOMER, BURNS & DEHAVEN INC. FOR MAHONING RD CORRIDOR PHASE 2, G.P. 1103; EMERGENCY (PIDS 90365 & 91594 - MAHONING RD. CORRIDOR, PHASE 2 - GP 1103, (PROJECT) (FIN)
- 2ND RDG 21. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$20,862.00 TO OMNIPRO SERVICES, LLC; EMERGENCY (CONSTRUCTION ENG SERVS RELATED TO 38TH ST NW WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJ) (FIN)
- 2ND RDG 22. AUTHORIZE MAYOR OR SERV DIR TO PURCH PARCEL #527159 IN AMT NOT TO EXCEED \$220,000.00 AND PARCEL #5211949 IN AMT NOT TO EXCEED \$45,000.00; AMEND APPROP O#64/2018; EMERGENCY (\$265,000.00 APPROP TRF FR 4501 103001 758.06 FIRE ADMIN - OTHER TO 4501 201001 758.03 SERVICE DIRECTOR ADMINISTRATION - OTHER) (PPCI & FIN)
- 220/2018 23. AUTHORIZE AND CONSENT TO RESURFACING OF US 62 FR 1-77 TO JUST EAST OF MAPLE AVE. NE TO INCLUDE MINOR BRIDGE WORK TO SFN 7602316 STA-62-22.44R AND SFN 7602286 STA-62-22-.49L OVER HARRISON AVE. AND MRTA RAILROAD, SFN 7602405 STA-62-23.69R AND SFN 7602375 STA-62-23.69L OVER HARVARD AVE. SFN 7602499 STA-62-24.01R AND SFN 7602464 STA-62-24.01L OVER SR 43 AND SFN 7602340 STA-62-22.94 UNDER CLEVELAND AVE; EMERGENCY (PID 84654) (PS&T)

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

- DEFEATED 24. 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 **PUB HRG 10/29/18 @ 7:00 PM**

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

- 221/2018** 25. 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
- 222/2018** 26. 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)
- 223/2018** 27. 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, November 5, 2018 in Council Caucus Room at 6:15 PM**

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 3) Public Property Capital Improvement Committee
- 4) Public Safety & Thoroughfares Committee

Engineering and Street Presentation
(Crack and Seal)

MISCELLANEOUS BUSINESS: Member Morris stated that since the recent paving of 30th Street, which cost about a million dollars, there are now cracks across both lanes big enough to put your finger into. He asked the Service Director to report back under Old Business. Service Director Highman indicated that 30th Street has been put on the crack and seal list and should be completed by next week. He will follow up with Engineering and report back. Member Smuckler spoke about the history of violent acts, such as the 60's shootings and the Holocaust. He stated that his first grandchild will be arriving soon, however he worries about his three daughters because of what's happening to their religious freedoms. He believes it is time for people to respect and care about one another, and not just during the holidays. He said that everyone has a right to be afraid, for themselves, for their children and for their grandchildren because if it can happen in other countries, it can happen here. President Pro Tem Smith asked for a moment of silence for our nation, our young people, and for employees of the City who have recently lost young family members.

QUOTE OF THE WEEK: *"One day your life will flash before your eyes. Make sure it's worth watching."* -Unknown

ADJOURNMENT: 7:43 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, NOVEMBER 5, 2018 @ 7:00 PM