

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

DECEMBER 3, 2018

ROLL CALL: Ten Members Present

MOTION TO EXCUSE MEMBERS: Member Chester and Member Morris Absent

INVOCATION: Bill Smuckler, At-Large Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem Smith

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#6; 2nd Rdg O#7 - O#11; O#6 Adopted on 1st Rdg; O#11 Adopted on 2nd Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Renee Pilone, who is a Certified City Planner, spoke about the AirBnB's and the Ordinance adopted in June which permits limited lodging in only R-4 zones. She said that the definition of limited lodging is missing the element of duration. Therefore, all rental units in R-1, R-2 and R-3 are illegal and subject to a \$500.00 per day fine. She feels that this zone change is hurting Canton. One example is that both Aultman and Mercy Hospitals instruct their students and employers on rotational assignments to use AirBnB's, which means these individuals must live outside of Canton. If Canton permitted more AirBnB's, they could collect lodging taxes. She suggested that Canton handle AirBnB's through regulation and not prohibition. Richard Manson stated that one of the procedures under the NIP Program is that when the Land Bank takes possession of a property, it's because it is vacant with delinquent taxes. However, there are properties on the NIP list that are not vacant, but occupied. He also spoke about counter flow bike lanes. He almost got hit riding his bike on Cherry Avenue, and fears someone could get killed. He suggested that for safety reasons Canton do away with counter flow bike lanes.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

461. CLERK DOUGHERTY: OBJECTION TO 2019 LIQUOR PERMIT RENEWALS. - JUDICIARY COMMITTEE
462. COURT ADMIN KOCHERA: REQ \$2,388.00 APPROP TRF FR PAYROLL FRINGES-COMP ABSENCE #701001-2799-62183 JUSTICE REINVESTMENT PRETRIAL GRANT FUND TO OTHER PROFESSIONAL SERVICES #701001-2799-70506 JUSTICE REINVESTMENT PRETRIAL GRANT FUND. - FINANCE COMMITTEE
463. FINANCE DIRECTOR CROUSE: REQ \$750,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 801001 AUDITOR - OTHER FOR \$500,000.00 AND TO 1001 202210 MAINTENANCE - OTHER FOR \$250,000.00; REQ \$500,000.00 INTER-FUND TRF FR 1001 801001 AUDITOR - OTHER TO 6017 201001 SERV DIR - OTHER (HEALTHCARE COSTS); AUTHORIZE AND DIRECT AUDITOR TO PAY ANY AND ALL STREET LIGHTING BILL MORAL OBS NECESSARY TO ENSURE CITY STREET LIGHTING BILLS ARE PD FR GENERAL FUND. - FINANCE COMMITTEE
464. FINANCE DIRECTOR CROUSE: REQ \$270,545.00 APPROP TRF FR 1001 501001 MAYOR ADMIN - OTHER TO 1001 101001 SAF DIR - PERSONNEL FOR \$6,795.00, TO 1001 103001 FIRE ADMIN - PERSONNEL FOR \$225,000.00, TO 1001 702001 CLERK OF COURTS - PERSONNEL FOR \$34,750.00 AND TO 1001 801001 AUDITOR ADMIN - PERSONNEL FOR \$4,000.00; REQ \$550.00 APPROP TRF FR 2160 202210 MAINTENANCE - OTHER TO 2160 701001 JUDGES ADMIN - PERSONNEL; REQ \$6,000.00 APPROP TRF FR 5201 207022 DISTRIBUTION MAINTENANCE - PERSONNEL TO 5201 207012 PUMPING MAINTENANCE - PERSONNEL; REQ \$3,000.00 APPROP TRF FR 6041 208001 MOTOR VEHICLE ADMIN - PERSONNEL TO 6041 103001 FIRE ADMIN - PERSONNEL. - FINANCE COMMITTEE
465. FINANCE DIRECTOR CROUSE: REQ \$111,841.77 SUPP APPROP FR UNAPPROP BAL OF 2788 2013 COPS HIRING GRANT FUND TO 2788 102001 POLICE ADMIN - OTHER. - FINANCE COMMITTEE
466. FINANCE DIRECTOR CROUSE: AUTHORIZE AUDITOR TO "RESERVE" \$1,120,000.00 OR 8/10 OF \$1,400,000.00 FOR 27TH PAY IN 2020; AUTHORIZE AUDITOR TO "RESERVE" 1/10 OF AVERAGE BI-WEEKLY PAYROLL EACH YR BEGINNING 2019 TO INSURE CANTON HAS FUNDS AVAILABLE WHEN 27TH PAY OCCURS EVERY 10 YRS. - FINANCE COMMITTEE
467. FINANCE DIRECTOR CROUSE: 2019 TEMPORARY BUDGET. - FINANCE COMMITTEE
468. LAW DIRECTOR BATES AYLWARD: REQ LEGISLATION TO REPEAL CODIFIED ORD SEC 509.09 (PANHANDLING). - JUDICIARY COMMITTEE
469. LAW DIRECTOR BATES AYLWARD: REQ LEGISLATION TO AMEND O#120/2017 ESTABLISHING DOWNTOWN REDEVELOPMENT DISTRICT. - COMMUNITY & ECONOMIC DEVELOPMENT AND DOWNTOWN DEVELOPMENT COMMITTEES

COMMUNICATIONS CONTINUED:

470. MAYOR BERNABEI
LAW DIRECTOR BATES AYLWARD: CONTRACT FOR LEGAL SERVICES WITH MOTLEY RICE LLC, TZANGAS PLAKAS MANNOS LTD, FERRUCCIO LAW FIRM AND BRENNAN, MANNA & DIAMOND LLC TO REPRESENT CANTON FOR ALL CLAIMS AGAINST OPIOID MANUFACTURERS AND DISTRIBUTORS RELATING TO MARKETING, PRESCRIBING, DISTRIBUTION OR SALE OF OPIOIDS. - RECEIVED & FILED
471. SERVICE DIRECTOR HIGHMAN: AMEND CLASSIFICATION PLAN FOR MGMT NON-BARGAINING UNIT PERSONNEL TO REPLACE GEN FOREMAN POSITION WITH ASST SUPERINTENDENT, FUND 20-50-01, GRADE 6, FLSA CODE E, IN SANITATION & ENV CONTROL DIV. - PERSONNEL COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE MAYOR TO ENTER INTO ENTERPRISE ZONE AGMT WITH RELIABLE READY MIX CO TO PROVIDE REAL PROPERTY TAX EXEMPTION; AUTHORIZE AUDITOR TO MAKE PAYMENTS TO CANTON CITY SCHOOL BD OF ED AS REQUIRED PURSUANT TO SEC 5709.82(C) OF ORC; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 2. APPROVE AND ACCEPT REPLAT OF ALL OF LOTS 22555 AND 22556; EMERGENCY (PARCELS 200336 & 200337, HABITAT FOR HUMANITY, 2200 BLOCK 6TH ST NE, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 3. APPROVE AND ACCEPT REPLAT OF ALL OF LOTS 265 AND PART OF LOT 266; EMERGENCY (PARCELS 206556, 221303, 10010149 & 10010150, STARK MGMT SRVS, NW CORNER CLEVELAND AVE & 2ND ST NW, WARD 2)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 4. APPROVE AND ACCEPT REPLAT OF ALL OF LOTS 23369 AND 23370; EMERGENCY (PARCELS 236130 & 236131, HABITAT FOR HUMANITY, 2000 BLOCK OF 25TH ST NE, WARD 9)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 5. APPROVE AND ACCEPT REPLAT OF ALL OF LOTS 24138 AND 24139; EMERGENCY (PARCELS 217896 & 217897, HABITAT FOR HUMANITY, 2000 BLOCK OF 23RD ST NE, WARD 9)
Referred to Public Safety & Thoroughfares Committee

(COUNCIL RECESSED AT 7:12 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT AND DOWNTOWN DEVELOPMENT COMMITTEES TO DISCUSS O#6; RECONVENED AT 7:14 PM)

- 255/2018 6. AMEND O#120/2017; EMERGENCY (ESTABLISH DOWNTOWN REDEVELOPMENT DISTRICT FUND)
Referred to Community & Economic Development and Downtown Development Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#7 - O#11; O#11 ADOPTED)**

- 2ND RDG 7. AUTHORIZE MAYOR OR SERV DIR TO ACCEPT AND ENTER INTO RENAISSANCE ENTERPRISE LEASING, INC. JOINT ECONOMIC DEVELOPMENT DISTRICT (JEDD) AGMT AREA IN JACKSON TWP; EMERGENCY (C&ED)
- 2ND RDG 8. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO JOB CREATION TAX INCENTIVE AGMT WITH RENAISSANCE ENTERPRISE LEASING, INC PURSUANT TO CITY'S INCENTIVE PROG; EMERGENCY (C&ED)
- 2ND RDG 9. AUTHORIZE RESURFACING OF SR 43 FR 3RD ST SE TO MARKET AVE AND SR 172 FR CHERRY ST. TO RIVERSIDE DR.; EMERGENCY (PS&T & FIN)
- 2ND RDG 10. AUTHORIZE MAYOR AND/OR SERV DIR AND SAF DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO VARIOUS CONTRACTS FOR SUPPLY EQUIPMENT, ITEMS, MATERIALS, SUPPLIES AND SERVS PURSUANT TO COD ORD SEC 105.09; ENTER INTO PROF SERVS CONTRACTS PURSUANT TO COD ORD SEC 105.10; ENTER INTO CONTRACTS PURSUANT TO O.R.C. SEC 735.05 WITH QUALIFIED NONPROFIT AGENCIES; ENTER INTO CONTRACT FOR PURCH OF SUPPLY EQUIP, ITEMS, MATERIALS, SUPPLIES AND SERVS UTILIZING ANY PURCH PROCESS AUTHORIZED BY EITHER O.R.C. OR CANTON COD ORD; ENTER INTO CHANGE ORDERS AND/OR CONTRACT AMENDMENTS FOR SAID PURCH DURING 2019 CALENDAR YR; EMERGENCY (FIN)
- 256/2018 11. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$10,094.17 TO SUNPRO, INC.; EMERGENCY (CLEANUP AND DISPOSAL OF 16 HAZARDOUS BARRELS FOR NIP PROG) (FIN)

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

- 257/2018 12. AMEND APPROP O#64/2018; EMERGENCY (\$250,000.00 SUPP APPROP FR UNAPPROP BAL OF 2120 INCOME TAX FUND TO 2120 852101 INCOME TAX ADMIN - OTHER)
- 258/2018 13. AMEND APPROP O#64/2018; EMERGENCY (\$771,766.30 APPROP TRF FR 5410 206058 OWDA WRF PHOSP PROJ (CONSTR) - OTHER TO 5410 206057 OWDA WRF PHOSP PROJ MEMB (6556) - OTHER)

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

- 259/2018** 14. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER #1 AND FINAL IN AMT NOT TO EXCEED \$41,355.80 WITH NORTHSTAR ASPHALT, INC. FOR 19TH ST NE RESURFACING PROJ, GP 1239; EMERGENCY
- 260/2018** 15. AUTHORIZE AND CONSENT TO MINOR BRIDGE MAINTENANCE TO 12 STRUCTURES ON I-77; EMERGENCY (JUST NORTH OF CLEVELAND AVE OVER E BRANCH OF NIMISHILLEN CREEK NORTH THRU US-30 INTERCHANGE)
- 261/2018** 16. AUTHORIZE AND CONSENT TO SPOT PAVING OF US 30 AT TRUMP AVE NE; EMERGENCY
- 262/2018** 17. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR LEASE OF 15.904 ACRES OF CITY OWNED PROPERTY FOR GOLF TRAINING AND PROGRAMS FOR AREA YOUTH; EMERGENCY (OUTLOTS 897 & 1343; CITY LOT 43031, AKA PARCELS 10004035, 10004038, 10004039 & 380700)
- 263/2018** 18. AUTHORIZE AND CONSENT TO MINOR BRIDGE WORK TO SFN 7601069 STA-43-10.92 OVER US 30; EMERGENCY (BELDEN AVE)
- 264/2018** 19. AUTHORIZE ESTABLISHMENT OF FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZE MAYOR, SERV DIR OR THEIR DESIGNEE TO ENTER INTO AGMT FOR PURCHASE/ACQUISITION OR DONATION/ACQUISITION OF PART OF OUTLOT 1121 FOR PUBLIC STREET RIGHT-OF-WAY; EMERGENCY (NE CANTON INDUSTRIAL PARK PROJ; GP 1148)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, December 10, 2018 in Council Caucus Room at 6:15 PM**

- 1) Public Safety & Thoroughfares Committee
- 2) Community & Economic Development Committee

Community Building Partnership Presentation

MISCELLANEOUS BUSINESS: Member Smuckler reminded everyone about the kick-off dinner for the Ex-Newsboys on Wednesday. Anyone needing tickets should see him tonight. They are raising money for school kids who need clothing. President Pro Tem Smith thanked Council for the Resolution presented to Brother Dave and Sister Meralene at Trinity Gospel Temple. She specifically thanked Member Babcock, Member Minor Smith and Member Scaglione for attending with her on Council's behalf.

QUOTE OF THE WEEK: *"The American dream means giving it your all, trying your hardest, accomplishing something, and then I'd add to that, giving something back. No definition of a successful life can do anything but include serving others."* - George H.W. Bush

ADJOURNMENT: 7:30 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, DECEMBER 10, 2018 @ 7:00 PM