

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

JULY 1, 2019

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Chester Absent

INVOCATION: James Babcock, At-Large Council Member

PLEDGE OF ALLEGIANCE: President Sherer

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#11, O#12 & O#13; 2nd Rdg O#14 - O#18; O#11, O#12 & O#13 Adopted on 1st Rdg; O#15, O#17 & O#18 Adopted on 2nd Rdg; O#19 Postponed)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Sharon Jackson spoke about the East Tusc Corridor. She stated that it is a historical highway named after a President, yet it is in terrible condition and has never looked so bad. She feels someone needs to be held responsible and implored Council to do something about it. Majority Leader Smith asked that, after the second speaker, Engineering Superintendent, Dan Moeglin, and Chief Building Inspector, JR Rinaldi, be given an opportunity to address Ms. Jackson's concerns. Pete DiGiacomo spoke about the Blues Jazz Festival. He said it was well attended and the music was good, however there was a VIP area that cost \$50.00 a person and he was very upset to learn that all that money went to the Chamber of Commerce. He stated that on the northbound side of the Cleveland Avenue South bridge that goes over '77 there are two extremely large holes in the pavement. He fears that if a vehicle hits them it could cause an accident, and asked that they be patched. At this point President Sherer asked Dan Moeglin and JR Rinaldi to proceed with their comments. Superintendent Moeglin stated that East Tusc is on the paving list. For some reason ODOT postponed the contract until October, so it will be paved in the Spring and will cost the City \$21,000.00. He said that they will take a look at the Cleveland Avenue South bridge and work with ODOT on getting it patched. JR Rinaldi stated that they have demolished 90 homes in Ward 4 alone and he is continually in that area doing inspections. As far as the businesses, he said that the owners of 1203 and 1222 East Tusc have forfeited their properties to the State and are currently being prosecuted.

INFORMAL RESOLUTIONS:

16. COUNCIL-AS-A-WHOLE: WELCOMING RABBI JON ADLAND AS PERMANENT CANTON RESIDENT AND WISHING HIM WELL UPON HIS RETIREMENT. - ADOPTED

COMMUNICATIONS:

204. COURT ADMIN KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT OF REHAB & CORRECTION (ODR&C) FOR RECEIPT OF FY 2020-2021 JUSTICE REINVESTMENT & INCENTIVE GRANT (JRIG) PROBATION GRANT IN AMT OF \$119,890 COMMENCING 7/1/19 THRU 6/30/21. - FINANCE COMMITTEE
205. COURT ADMIN KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT OF REHAB & CORRECTION (ODR&C) FOR RECEIPT OF FY 2020-2021 JUSTICE REINVESTMENT & INCENTIVE GRANT (JRIG) PRETRIAL GRANT IN AMT OF \$380,401 COMMENCING 7/1/19 THRU 6/30/21. - FINANCE COMMITTEE
206. COURT ADMIN KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT OF REHAB & CORRECTION (ODR&C) FOR RECEIPT OF FY 2020-2021 COMMUNITY CORRECTIONS ACT (CCA) GRANT IN AMT OF \$340,208 COMMENCING 7/1/19 THRU 6/30/21. - FINANCE COMMITTEE
207. FINANCE DIRECTOR CROUSE: REQ \$16,981.76 SUPP TRF FR 1001 104040 TRAFFIC ENG/PARKING METER - PAYROLL TO 1001 104040 TRAFFIC ENG/PARKING METER - OTHER (\$2.00 PARKING TICKET FEE). - FINANCE COMMITTEE
208. FINANCE DIRECTOR CROUSE: REQ \$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 2190 HOFV FUND TO 2190 861101 HOFV - TOURISM DEVELOP DISTRICT - OTHER. - FINANCE COMMITTEE
209. FINANCE DIRECTOR CROUSE: ADOPT ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING 12/31/20 PER ORC SEC 5705. - FINANCE COMMITTEE
210. LAW DIRECTOR BATES AYLWARD: APPROVE EDITING AND INCLUSION OF CERTAIN ORDINANCES ADOPTED FR DEC 2017 TO JUNE 28, 2018 TO BE INCORPORATED INTO CODIFIED ORD OF CITY OF CANTON; REQ AUTHORITY TO DISTRIBUTE, FREE OF CHARGE, COPIES OF 2018-2019 CANTON CITY CODE SUPP TO PUB OFFICIALS AND PUB INSTITUTIONS AND AFFIX PRICE OF \$25.70 FOR SALE OF SAME. - JUDICIARY COMMITTEE
211. LAW DIRECTOR BATES AYLWARD: AMEND CANTON'S FAIR HOUSING ORD CHAPTER 515 TO REDUCE NUMBER OF COMMISSION MEMBERS FR 9 TO 7 AND TO ADD MAYOR "OR DESIGNEE" AS EX OFFICIO MEMBER. - JUDICIARY COMMITTEE
212. LAW DIRECTOR BATES AYLWARD: CONTINUE CURRENT ALTERNATIVE FORMULA AGMT WITH SCOG FOR YRS 2020 THRU 2022. - FINANCE COMMITTEE
213. LIQUOR CONTROL COMM (OHIO): NOTICE OF APPEAL HRG FOR RUBY MGMT LLC, 2548 WINFIELD WAY NE ON 7/18/19 AT 10:00 AM AT VERN RIFFE CTR FOR GOVERNMENT AND ARTS, 77 S HIGH ST, 19TH FL, COLUMBUS OH. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

214. MAYOR BERNABEI: AUTHORIZE APPT OF MS. MYRA WATKINS TO STARK AREA REGIONAL TRANSIT AUTHORITY (SARTA) BD COMMENCING IMMEDIATELY UPON COUNCIL APPROVAL TO 8/31/20. - PERSONNEL COMMITTEE
215. MAYOR BERNABEI
MAJORITY LDR SMITH
ASST MAJORITY LDR BABCOCK
AT-LARGE MBR SMUCKLER
AT-LARGE MBR SCHULMAN
MEMBER MARIOL, WARD 7: CHANGE NAME OF CURRENT CRA FR CANTON CENTRAL NEIGHBORHOOD CRA TO CANTON CITY CRA; EXPAND CURRENT BOUNDARIES OF CRA TO CANTON CORP LIMIT; AUTHORIZE RESIDENTIAL TAX ABATEMENT FOR 15 YRS (FR 10 YRS) FOR 100% OF INCREASE IN ASSESSED TAXES ATTRIBUTABLE TO NEW CONSTRUCTION AND/OR REMODELING/REHAB OF EXISTING RESIDENTIAL STRUCTURES WHERE NEW CONSTRUCTION OR REMODELING COSTS ARE \$5,000.00 OR MORE, DOES NOT REQUIRE SCHOOL BD APPROVAL; UPDATE COMMERCIAL & INDUSTRIAL ASPECTS OF CRA TO MEET CURRENT ORC PARAMETERS AND ALLOW TAX ABATEMENTS UP TO 15 YRS AND UP TO 100% WITH SCHOOL BD APPROVAL, TAX ABATEMENTS LESS THAN 50% DO NOT REQUIRE SCHOOL BD APPROVAL; UPHOLD ANY PREVIOUSLY APPROVED ABATEMENTS UNDER TERMS IN WHICH THEY WERE ESTABLISHED; DESIGNATE CANTON'S COMPREHENSIVE PLAN AS SURVEY OF HOUSING REQUIRED BY ORC SEC 3735.66; CREATE CLASSIFICATION OF MULTI-UNIT HOUSING (4 OR MORE UNITS) INDEPENDENT OF COUNTY WHICH DESIGNATES ANY BLDG WITH GREATER THAN (3) RESIDENTIAL UNITS TO BE RESIDENTIAL RATHER THAN COMMERCIAL. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
216. PLANNING COMMISSION: AUTHORIZE REPLAT OF LOTS 9751 & 9752, PARCELS 202499, 208554, 234557 & 245789 (2306 TUSC ST W FOR TB-TUSC LLC, WARD 3). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
217. PLANNING COMMISSION: WITHDRAW C#195 FR 6/17/19 AGENDA. - RECEIVED & FILED
218. PLANNING COMMISSION: AUTHORIZE REPLAT OF PART OF CITY OUTLOT 120, PART OF LOTS 3008 AND 3014 AND ALL OF LOTS 35589, 3011, 3013, 35883, 42572, 43106, 43107, 43108, 43109 AND 43110 (PARCELS 10007807 & 10007806, 618 HIGH AVE NW, WARD 2). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
219. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT/MODIFICATION IN EST AMT OF \$268,760.00 WITH AECOM TECHNICAL SERVICES, INC. FOR ENGINEERING SERVICES RELATED TO 11TH ST SE INTERSECTION AND ROADWAY IMPROVEMENT PROJ, PID 90465, GP 1144; RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN FOR FURTHERANCE OF PROJ PRIOR TO FINALIZATION OF SAID AMENDMENT/MODIFICATION AND AUTHORIZE AND DIRECT AUDITOR TO PAY ANY AND ALL RELATED MORAL OBS; REQ \$107,760.00 SUPP APPROP FR UNAPPROP BAL OF 4568 11TH ST IMPROV PROJ GP 1144 FUND TO 4568 202095 11TH ST IMPROV PROJ GP 1144 (OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
220. SERVICE DIRECTOR HIGHMAN: REQ \$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 202001 ENGINEERING ADMIN - OTHER FOR \$350,000.00, TO 4501 204010 OTHER BUILDINGS - OTHER FOR \$100,000.00 AND TO 4501 201001 SERVICE DIRECTOR ADMIN - OTHER FOR \$50,000.00. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
221. TREASURER PEREZ: MTHLY RPT OF PARKING METER REVENUE FOR MAY, 2019. - RECEIVED & FILED
222. TREASURER PEREZ: MTHLY RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX ACCT FOR MAY, 2019. - RECEIVED & FILED
223. TREASURER PEREZ: RPTS OF 5/31/19 BANK REC AND CITY'S OUTSTANDING INVESTMENTS AS OF 5/31/19. - RECEIVED & FILED
224. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 4/30/19. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE MAYOR OR SERV DIR TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO CANTON COMMUNITY IMPROVEMENT CORP; EMERGENCY (618 8TH ST NW, PARCEL #223657)
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 2. APPROVE AND ACCEPT REPLAT OF ALL OF OUTLOTS 940, 941, 947, 948, 953 AND LOTS 1134, 43097, 43098 AND PART OF OUTLOT 228 AND LOT 34170 AND DEDICATION OF PUB STREET THRU SAID OUTLOT 953 AND PART OF OUTLOT 228; VACATE PORTIONS OF VARIOUS STREETS; EMERGENCY (DUEBER AVE, GARFIELD AVE, MARIOL CT, 19TH ST, 20TH ST & TIMKEN STEEL DR SW, WARD 5)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 3. APPROVE AND ACCEPT REPLAT OF ALL OF LOTS 30454, 31958, 31959 AND PART OF LOT 31962; EMERGENCY (PARCELS 220363, 216726 & 238011, CHRISTIAN WHITLOCK, 1711/1717 BELLFLOWER AVE SW, WARD 5)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 4. APPROVE AND ACCEPT REPLAT OF ALL OF LOTS 14245, 14246, 14247 AND 34882; EMERGENCY (PARCELS 242269, 242270, 207055 & 218664, HAMMONTREE, WERNECKE, STARK CO LAND REUTILIZATION CORP, 415-501 COLUMBUS AVE NW, WARD 1)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 5. APPROVE AND ACCEPT REPLAT OF PART OF OUTLOT 120, PART OF LOTS 3008 AND 3014 AND ALL OF LOTS 35589, 3011, 3013, 35883, 42572, 43106, 43107, 43108, 43109 AND 43110; EMERGENCY (618 HIGH AVE CORP)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 6. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCELS 244550 & 210921, 1703 FULTON RD NW, EMILY LARRICK, WARD 7)
Referred to Judiciary Committee **PUB HRG 7/29/19 @ 7:00 PM**
- 1ST RDG 7. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (NE FLOOD PLAIN AREA, WARD 4)
Referred to Judiciary Committee **PUB HRG 7/29/19 @ 7:01 PM**
- 1ST RDG 8. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (CENTRAL BUSINESS DISTRICT EXPANSION, WARDS 2 & 4)
Referred to Judiciary Committee **PUB HRG 7/29/19 @ 7:02 PM**
- 1ST RDG 9. AMEND APPROP O#50/2019; EMERGENCY (\$40,000.00 APPROP TRF FR 2760 102001 POLICE ADMIN - OTHER TO 2760 102001 POLICE ADMIN - PERSONNEL)
Referred to Finance Committee
- 1ST RDG 10. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE ONE-YR, WITH OPTION OF TWO-YR RENEWALS AT SOLE DISCRETION OF CITY, PROFESSIONAL SERVICES CONTRACT WITH M.E. SIMPSON CO, INC. FOR LARGE DIAMETER CONCRETE MAIN LEAK ASSESSMENT PROG; EMERGENCY
Referred to Finance and Environmental & Public Utilities Committees

(COUNCIL RECESSED AT 7:22 PM FOR THE PERSONNEL COMMITTEE TO DISCUSS O#11; RECONVENED AT 7:24 PM)

- 107/2019 11. APPROVE AMENDMENTS OF COLLECTIVE BARGAINING AGMT BETWEEN CITY OF CANTON AND CANTON PROFESSIONAL FIREFIGHTERS' ASSOC, LOCAL 249; EMERGENCY (CPFFA)
Referred to Personnel Committee

(COUNCIL RECESSED AT 7:24 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES TO DISCUSS O#12; RECONVENED AT 7:25 PM)

- 108/2019 12. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO RESPOND TO CITY HALL AIR CONDITIONING EMERGENCY; AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RESULTING FROM EMERGENCY SITUATION; EMERGENCY
Referred to Public Property Capital Improvement and Finance Committees

(COUNCIL RECESSED AT 7:25 PM FOR THE FINANCE COMMITTEE TO DISCUSS O#13; RECONVENED AT 7:31 PM)

- 109/2019 13. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR THE PURCHASE OF ONE STREET SWEEPER FOR STREET DEPT; AMEND APPROP O#50/2019; EMERGENCY (\$434,750.00 SUPP APPROP FR UNAPPROP BAL OF 2111 STREET MAINTENANCE FUND TO 2111 104010 TRAFFIC SIGN & PAINT - PERSONNEL FOR \$25,000.00, TO 2111 202001 ENGINEERING ADMIN - OTHER FOR \$230,000.00 AND TO 2111 202210 MAINTENANCE - OTHER FOR \$179,750.00; \$35,250.00 SUPP APPROP FR UNAPPROP BAL OF 2112 STATE HIGHWAY FUND TO 2112 202210 MAINTENANCE - OTHER; \$150,000.00 SUPP APPROP FR UNAPPROP BAL OF 2175 COMP PLAN IMPLEMENT FUND TO 2175 202001 ENGINEERING ADMIN - OTHER)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#14 - O#18; O#15, O#17 & O#18 ADOPTED)

- 2ND RDG 14. AMEND APPROP O#50/2019; EMERGENCY (\$1,500.00 SUPP APPROP FR UNAPPROP BAL OF 2328 PUBLIC HEALTH INFRASTRUCTURE FUND TO 2328 PUBLIC HEALTH INFRASTRUCTURE - 700 OTHER DIRECT COSTS (FIN)
- 110/2019 15. AMEND CANTON CODIFIED ORDINANCE SECTIONS 505.14, "KEEPING MORE THAN FIVE DOGS OR CATS" AND 505.19 "ENFORCEMENT" (JUD)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 16. AMEND SECTIONS 975.08, RATES: RESPONSIBILITY OF PUB SERV DIR OF CHAPTER 975 SOLID WASTE MGMT SYSTEM AND 947.09, PMT OF CHAPTER 947 SEWER RATES OF COD ORD OF CANTON (JUD & FIN)
- 111/2019 17. AUTHORIZE AUDITOR TO RENAME 2650 SUMMER FOOD FUND TO 2650 PRETRIAL AWARD FUND; AMEND APPROP O#50/2019; EMERGENCY (\$34,000.00 SUPP APPROP FR UNAPPROP BAL OF 2650 PRETRIAL AWARD FUND TO 2650 701001 PRETRIAL AWARD - PERSONNEL - \$10,000.00 - OTHER - \$24,000.00) (FOR CONTINUED OPERATION OF COURT) (FIN)
- 112/2019 18. AMEND APPROP O#50/2019; EMERGENCY (\$27,000.00 SUPP APPROP FR UNAPPROP BAL OF 2659 PROBATION AWARD FUND TO 2659 701001 PROBATION AWARD - PERSONNEL - \$10,000.00 - OTHER - \$17,000.00) (FOR CONTINUED OPERATION OF COURT) (FIN)

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

- 7/15/19 19. AUTHORIZE MAYOR OR SERV DIR TO ACCEPT AND ENTER INTO TAM O'SHANTER JOINT ECONOMIC DEVELOPMENT DISTRICT AGMT AREA IN JACKSON TWP; EMERGENCY
- 113/2019 20. AMEND APPROP O#50/2019; EMERGENCY (\$70,500.00 SUPP APPROP FR UNAPPROP BAL OF 2781 USE OF FORCE SOFTWARE UPDATE GRANT FUND TO 2781 102001 POLICE ADMIN - OTHER; \$70,500.00 ADV REPYMT FR 2781 102001 POLICE ADMIN - ADV OUT TO 1001 102001 POLICE ADMIN - ADV IN)
- 114/2019 21. AMEND APPROP O#50/2019; EMERGENCY (\$13,000.00 SUPP APPROP FR UNAPPROP BAL OF 2313 LOCAL HEALTH DEPT PREV SUPPORT FUND TO 2313 301001 LOCAL HEALTH DEPT PREV SUPPORT - 600 PERSONNEL; \$4,500.00 FR UNAPPROP BAL OF 2335 EARLY HEAD START FUND TO 2335 301001 EARLY HEAD START - 600 PERSONNEL; \$7,000.00 FR UNAPPROP BAL OF 2354 SOLID WASTE DISPOSAL LICENSE, ENVIRONMENTAL HEALTH ADMIN FUND TO 2354 307001 SOLID WASTE DISPOSAL LICENSE, ENVIRONMENTAL HEALTH ADMIN - 600 PERSONNEL; \$17,000.00 INTER-FUND TRF FR 2354 307001 SOLID WASTE DISPOSAL LICENSE, ENVIRONMENTAL HEALTH ADMIN - 700 OTHER TO 2354 307001 SOLID WASTE DISPOSAL LICENSE, ENVIRONMENTAL HEALTH ADMIN - 600 PERSONNEL)
- 115/2019 22. APPROVE AND ACCEPT REPLAT AND DEDICATION OF OUT LOT 1412 AND PART OF OUT LOT 591; EMERGENCY (PARCELS 5218077 AND 216697, ONE RICHMOND AVE CO LLC, 3000 BLK RICHMOND AVE NE, WARD 6)
- 116/2019 23. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCHASE OF ONE (1) SEDAN AND ONE (1) SM SPORT UTILITY VEHICLE; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; EMERGENCY (WATER DEPT)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, July 15, 2019 in Council Caucus Room at 6:15 PM**

- 1) Finance Committee
- 2) Public Safety & Thoroughfares Committee
- 3) Personnel Committee
- 4) Judiciary Committee
- 5) Environmental & Public Utilities Committee
- 6) Community & Economic Development Committee

MISCELLANEOUS BUSINESS: None**QUOTE OF THE WEEK:** "Perhaps they are not stars in the sky, but rather openings where our loved ones shine down to let us know they are happy." -Eskimo saying**ADJOURNMENT:** 7:43 PM