

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

CANTON CITY COUNCIL

AUGUST 27, 2018

**ROLL CALL:** All Members Present

**MOTION TO EXCUSE MEMBERS:** President Schulman Absent

**INVOCATION:** Corey Minor Smith, At-Large Council Member

**PLEDGE OF ALLEGIANCE:** President Pro Tem Smith

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#4, O#6 - O#14; O#5 Ret'd in Cmte; O#11 - O#14 Adopted on 2<sup>nd</sup> Rdg; O#15 Reconsidered & Amended; O#16 Postponed until 9/10/18)

**PUBLIC HEARINGS:** None

**OLD BUSINESS (PUBLIC SPEAKS):** Reviewed Pending Issues from Public Speaks

**PUBLIC SPEAKS (CITY BUSINESS):** Renee Pilone spoke about the AirBnB ordinance. She believes there is still a lack of clarity with the issue. Although her property does not meet the definition of limited lodging, she received a cease and desist letter, and when she contacted the Law Dept., she was told that there is a minimum rental period of 30 days; however this is not in the zoning code.

**INFORMAL RESOLUTIONS:**

50. MAJORITY LEADER SMITH: AUTHORIZE AND DIRECT SERV DIR TO ENTER INTO PURCH ORDER IN AMT OF \$49,999.99 FOR AS NEEDED REPAIR FOR CANTON'S BRICK STREETS AT DIRECTION OF ENGINEERING DEPT. - ADOPTED

**COMMUNICATIONS:**

326. APPLICANT, DELANO MEANS: REQ VAC OF PORTION OF FOLMER PL NE (50' LONG, 15' WIDE PORTION OF FOLMER PL NE DIRECTLY ABUTTING LOT #22841), WARD 4. - PLANNING COMMISSION

327. COURT ADMINISTRATOR KOCHERA: REQ SUPP APPROP FOR INDIGENT TREATMENT FUND #2762 (\$35,000.00 SUPP APPROP FR UNAPPROP BAL OF #2762-701001 INDIGENT TREATMENT FUND #2762 TO OTHER - #2762-701001 INDIGENT TREATMENT FUND #2762). - FINANCE COMMITTEE

328. DEPARTMENT OF COMMERCE (OHIO): NOTICE OF COUNCIL'S WITHDRAWAL OF OBJECTION TO NEW PERMIT APPLICATION #2234815-2720, C-1, LOCATED WITHIN CITY (DOLGEN MIDWEST, LLC DBA DOLLAR GENERAL STORE 17922 @ 915 TUSC. ST W). - RECEIVED & FILED

329. DEVELOPMENT DIRECTOR ROLLINS: AMEND APPROP O#64/2018 (\$2,528,200.00 SUPP APPROP FR UNAPPROP BAL OF 2211 COMMUNITY DEVELOPMENT FUND TO 2211 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$601,505.00 SUPP APPROP FR UNAPPROP BAL OF 2214 HOME FUND TO 2214 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$81,006.00 SUPP APPROP FR UNAPPROP BAL OF 2219 EMERGENCY SHELTER GRANT FUND TO 2219 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER) (2018 ANNUAL ACTION PLAN - HUD); EMERGENCY. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES

330. FINANCE DIRECTOR CROUSE: AMEND APPROP O#64/2018 (\$59,000.00 SUPP APPROP FR UNAPPROP BAL OF 2415 GUARDRAIL/ATTENUATOR REPLACEMENT FUND TO 2415 202210 MAINTENANCE - OTHER - \$15,000.00, TO 2415 753001 LAW - OTHER - \$44,000.00); EMERGENCY (GUARDRAIL, STREET LIGHT REPLACEMENT). - FINANCE COMMITTEE

331. PARKS & REC DIRECTOR FOLTZ: AUTHORIZE AUDITOR TO PAY MORAL OBS TO CENTURY EQUIPMENT INC IN AMT NOT TO EXCEED \$74,000.00; TO CANTON BALLET IN AMT NOT TO EXCEED \$8,000.00 FOR PURCH ORDERS NOT OPENED UNTIL INVOICES WERE RECEIVED. - FINANCE COMMITTEE

332. PLANNING COMMISSION: REQ REPLAT OF PART OF CITY LOTS 8847 & 8848 (PARCELS 219258, 10005096 & 10005094), 1003 12<sup>TH</sup> St. NW, WARD 1 (FOR JEFF BARBER). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

333. PLANNING COMMISSION: REQ REPLAT LOT 25235 AND PART OF OUT LOT 524 (PARCELS 204308 & 240651), 1215 HOMEDALE AVE NW, WARD 1 (FOR MICHAEL GAMBONE). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

334. PLANNING COMMISSION: REQ VACATION OF PART OF OLIVE PL NE AND TWO UNNAMED 10' ALLEYS, WARD 9 (RON SPENCER FOR FERROUS PROCESSING & TRADING CO.). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

**COMMUNICATIONS CONTINUED:**

335. PLANNING COMMISSION: REQ VACATION OF PART OF 12' WIDE GEORGE PL SW AND REPLATTING SAID VACATED GEORGE PL SW AND PART OF LOT 2992 AND PART OF LOT 2993 AND ALL OF LOTS 2990 & 2991 (PARCELS 207485, 236501 & 245232), WARD 4 (FOR WALTER & JULI HENSCH). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
336. PLANNING COMMISSION: REQ VACATION OF 15' BY 50' OF FOLMER PL NE AND REPLAT OF CANTON CITY LOTS 22839, 22840, AND 22841 (PARCEL 206602), WARD 4 (FOR DELANO MEANS). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
337. PLANNING COMMISSION: REQ ZONE CHG AT ROUTE 62 AND KIRBY AVE NE (PARCELS 305295, 380336, 380337, 304736, 304674, 301700, 304728, 301585, 301476, 302122 & 10002002), WARD 6 (FOR FUTURE DEVELOPMENT FOR CITY). - JUDICIARY COMMITTEE
338. PLANNING COMMISSION: REQ ZONE CHG AT 2528 FAIRCREST ST SW (PARCELS 8300025 & 8300004), WARD 5 (FOR OHIO POWER COMPANY). - JUDICIARY COMMITTEE
339. SAFETY DIRECTOR PERRY: AUTHORIZE CITY TO ACCEPT GRANT NO. EMW-2017 FH 00176 IN AMT OF \$1,036,353.00 UNDER THE FY 2017 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT; RENAME FUND 2815 FIRE FEMA SAFER GRANT 2015 TO 2818 FIRE FEMA SAFER GRANT 2017; AMEND O#64/2018 (\$160,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 103001 GENERAL FUND - PAYROLL - \$100,000.00, TO 1001 103001 GENERAL FUND - PAYROLL FRINGES - \$60,000.00; \$160,000.00 SUPP APPROP FR UNAPPROP BAL 2815 SAFER GRANT 2017 TO 2815 103001 SAFER GRANT 2017 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
340. SERVICE DIRECTOR HIGHMAN: REQ INFORMAL RESOLUTION APPROVING PURCH ORDER IN AMT OF \$49,999.99 FOR CITY WIDE BRICK REPAIR WORK FR 2018 CAPITAL PROJECTS FUND (RMI CEMENT LLC (RMI). - RECEIVED & FILED
341. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE AND RECEIVE BIDS FOR CONSTRUCTION CONTRACT FOR CANTON SOUTH WATERLINE EXTENSION - PHASE 1 (HUMAN HEALTH) PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO AWARD AND EXECUTE CONSTRUCTION CONTRACT AND PROF SERVS CONTRACT FOR CONSTRUCTION ENGINEERING SERVS FOR PROJ CONTINGENT UPON RECEIVING FUNDING; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH OHIO ENVIRONMENTAL PROTECTION AGENCY, THRU OHIO WATER DEVELOP AUTHORITY, TO RECEIVE FR WATER SUPPLY REVOLVING LOAN ACCT, PRINCIPAL FORGIVENESS AND 0% INTEREST LOAN TO BE AMORTIZED OVER 15-YR PERIOD FOR CANTON SOUTH WATERLINE EXTENSION - PHASE 1 (HUMAN HEALTH) PROJ; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE FUND 5238 CANTON SOUTH WATERLINE EXTENSION - PHASE 1 (HUMAN HEALTH) PROJ FUND TO RECEIVE ALL LOAN AND REVENUE PROCEEDS AND TRACK PROJ EXPENDITURES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
342. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FOR 1/1/18 THRU 7/31/18. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

- 1<sup>ST</sup> RDG 1. AUTHORIZE MAYOR OR SERV DIR TO ACCEPT DONATION OF LAND FR LMP PROPERTIES, LLC; EMERGENCY (9<sup>TH</sup> & MCKINLEY NW, PARCEL #239055, FOR FUTURE DEVELOPMENT)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 2. AMEND APPROP O#64/2018; EMERGENCY (\$140,000.00 SUPP APPROP FR UNAPPROP BAL OF 6041 MOTOR VEHICLE DEPT FUND TO 6041 208010 SERVICE AND REPAIR - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 3. AUTHORIZE HIRING OF BROCK MCCROSKEY AT SALARY OF \$60,000.00 ANNUALLY WITH TEN DAYS VACATION IN 2019 AND RETURNING TO APPLICABLE CITY VACATION SCHEDULE IN 2020; EMERGENCY (COLLECTION SYSTEM ENGINEER 2)  
Referred to Personnel Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#4, O#6 - O#14; O#5 RET'D IN CMTE; O#11 - O#14 ADOPTED)**

- 2<sup>ND</sup> RDG 4. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT WITH GOVERNMENT JOBS.COM, INC. DBA NEOGOV; EMERGENCY (COMPREHENSIVE HUMAN RESOURCES MGMT SYSTEM AND SUPPORT) \_\_\_\_\_ (FIN)
- RETAINED IN CMTE** 5. 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; SCHOOL; PUBLIC PARKS; HOSPITALS AND HISTORIC LANDMARKS; EMERGENCY (JUD)
- 2<sup>ND</sup> RDG 6. AMEND APPROP O#64/2018; EMERGENCY (\$2,316,085.30 APPROP TRF FR 5410 206057 OWDA WRF PHOSP PROJ MEMB (6556) - OTHER TO 5410 206058 OWDA WRF PHOSP PROJ (CONST) - OTHER) \_\_\_\_\_ (FIN)
- 2<sup>ND</sup> RDG 7. AMEND APPROP O#64/2018; EMERGENCY (\$250,000.00 SUPP APPROP FR UNAPPROP BAL OF 2815 FEMA SAFER GRANT 2015 FUND TO 2815 103001 FIRE ADMIN - OTHER) \_\_\_\_\_ (FIN)
- 2<sup>ND</sup> RDG 8. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO CONTRACT WITH PHYSIO CONTROL, INC. FOR PURCH OF TWO ADDT'L HEART MONITORS UTILIZING ANY PROCUREMENT PROCESS ALLOWED BY EITHER ORC OR CANTON COD ORDINANCES; EMERGENCY (FIRE DEPT FOR AMBULANCES) \_\_\_\_\_ (FIN)
- 2<sup>ND</sup> RDG 9. APPROVE CANTON CITY WATER MAIN EXT TO LEXINGTON FARMS NORTH, LTD NO. 4, NO. 5 AND ANY UNNAMED PHASES; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ANY AGMTS NECESSARY FOR EXT OF SAID WATER MAIN; EMERGENCY \_\_\_\_\_ (E&PU)
- 2<sup>ND</sup> RDG 10. ACKNOWLEDGE RECEIPT AND APPROVAL OF STARK-TUSC-WAYNE JOINT SOLID WASTE MGMT DISTRICT SOLID WASTE MGMT PLAN; EMERGENCY \_\_\_\_\_ (E&PU)
- 173/2018 11. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO COMDOC/GLOBAL IMAGING SOLUTION, INC. JOINT ECONOMIC DEVELOPMENT DISTRICT AGMT AREA IN JACKSON TWP; EMERGENCY (C&ED)
- 174/2018 12. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO JOB CREATION TAX INCENTIVE AGMT WITH COMDOC/GLOBAL IMAGING SOLUTIONS, INC. PURSUANT TO CITY'S INCENTIVE PROGRAMS (C&ED)
- 175/2018 13. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO FINAL AGMT/SETTLEMENT FOR PARCEL 40-WD, U, T WITH ARCHLAND PROPERTY I, LLC IN AMT NOT TO EXCEED \$109,367.00 FOR MAHONING RD CORRIDOR PHASE I, G.P. 1103; EMERGENCY \_\_\_\_\_ (PPCI & FIN)
- 176/2018 14. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER #1 AND FINAL IN AMT NOT TO EXCEED \$59,693.03 WITH AT&T FOR MAHONING RD CORRIDOR PHASE 1, G.P. 1103; EMERGENCY \_\_\_\_\_ (FIN)

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

- 170/2018 15. AMEND APPROP O#64/2018; EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 6017 HEALTH & LIFE INSURANCE FUND TO 6017 201001 SERVICE DIRECTOR ADMIN - PERSONNEL)

**POSTPONED UNTIL**

- 9-10-18 16. AMEND APPROP O#64/2018; EMERGENCY (\$400,000.00 SUPP APPROP FR UNAPPROP BAL OF 2190 HOFV FUND TO 2190 861101 HOFV-TOURISM DEVELOP DISTRICT - OTHER)
- 177/2018 17. AMEND APPROP O#64/2018; EMERGENCY (\$14,478.00 SUPP APPROP FR UNAPPROP BAL OF 1152 NIP ACQUISITION DEMO DEBT FUND TO 1152 101501 CODE ENFORCEMENT - OTHER)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, September 10, 2018 in Council Caucus Room at 6:30 PM**

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

**MISCELLANEOUS BUSINESS:** Member Minor Smith thanked Council Members and Administration for attending the meet & greet coordinated with the Chamber of Commerce and the C&ED Committee. Member Smith invited everyone to attend the "end of season" festival at the Wayne Douglas Jamerson Spray Park and thanked Members for their donations. Member Morris would like the Administration to let the Park & Rec Dept. know that Council Members would like to retain their Ward's \$10,000. capital improvement money. Member Hall stated that they are aware and the money can be easily retained. Member Chester invited everyone to a community cookout at the former Fishers Food on Cherry Ave, sponsored by the Akron-Canton Food Bank.

**QUOTE OF THE WEEK:** "When you're in jail, a good friend will be there trying to bail you out. A best friend will be in the cell next to you saying, damn, that was fun." - Groucho Marx

**ADJOURNMENT:** 7:30 PM

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