FINAL A G E N D A 7:30 PM

CANTON CITY COUNCIL 7:30 PM May 18, 2015

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Fisher Absent INVOCATION: David Dougherty, Ward 6 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#12 - O#24; O#21 - O#24 Adopted on 2nd

Rdg; O#25 & O#29 Adopted as Amended)

PUBLIC HEARINGS: None

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

PUBLIC SPEAKS (CITY BUSINESS): Byron and Kirby Jenkins both spoke about revisiting some type of dog ordinance. Byron Jenkins spoke about a Pit Bull cornering him and his daughter by a tree as they were walking to his mother's house. The owner took a while to come outside and pull the dog away, only to have the dog come after them again. Kirby Jenkins asked Council to visit the Dogbite.org website for statistics on Pit Bulls. Over the last 10 years, the dogs have caused 326 deaths. In some cities the dogs have been banned. They both want Council and the citizens of Canton to find a way to make everyone safe and happy. Patricia Kirk and Brenda Kimbrough both stated that Canton needs green space downtown. They said that green space is inviting, calms, and lowers crime. Ms. Kirk also states that it can be made to look good in every season. She said that she knows of a family that moved because their toddler needs a yard to play in. She had a petition for green space that was signed by 248 people. Ms. Kimbrough remembers when the Kresge Lot was nothing but mud. She said that the people residing in the homeless and women's shelters downtown would appreciate a place to go and sit. President Schulman commended Ms. Kirk on her work in the City and let the audience know that she was instrumental in Canton receiving the 2014 Tree City Award. She was also responsible for Canton getting a Tree Ordinance and a Tree Commission. Gregory Kimbrough mentioned a property down the street from his house, on Correll, that was to be demolished. He wanted to know what he could do to purchase it. Tom Schmidt spoke about recreational fires such as fire pits. He said there should be a number for neighbors to call, during the day, when someone has a recreational fire in their yard. He said that fire pits in the front yard should not be acceptable and that some people are not burning normal wood. Some of the things they're burning causes excess smoke to go into their neighbor's yards. He believes that the Fire Department should have some type of control, or better mechanisms in place and better ideas to deal with this problem. Harold Friedman spoke about the Park Levy just raising taxes. He also spoke about the promise of better Fire and Police protection, only to have Fire Station 10 close twice. He says that people should not have to rely on Paramedics to come during a fire. He also commented on the condition of the roads, in particular Logan Ave and the road from Harvard to 25th St. He said they're so torn up that you can't even drive on them. Charles Killens said that he had asked the Mayor to address some of his issues, but the Mayor wasn't there. He will, if necessary, talk to the President and the NAACP to help him file on all Council Members. He also asked if he should have the government send information regarding his civil rights. Pete DiGiacomo believes the Kresge Lot has been pretty well funded and would like to see a walking pad put in. He thinks maybe bricks could be sold with names on them at \$30 to \$40 each, and put in; however, he advised that they should not be sold and then thrown away as they were at the First Ladies Museum.

INFORMAL RESOLUTIONS:

22. CNL-AT-LRG MBR HART: EXPLORE FEASIBILITY OF BUILDING & OPERATING YRLY ZOO

ON CITY'S UNDEVELOPED LAND IN PIKE TWP. - ADOPTED

23. COUNCIL-AS-A-WHOLE: REQ 5-YR, 5-MILL TAX LEVY FOR PARKS & RECREATIONAL

PURPOSES. - ADOPTED

COMMUNICATIONS:

196. PLANNING COMMISSION: RECOMMEND APPROVAL OF REPLAT OF LOTS 41203 THRU

41211, LOTS 4172 THRU 4175, PART OF LOT 4176 AND OUT LOT 1337 STANDARD PRINTING CO., WARD 2). - PUBLIC

SAFETY & THOROUGHFARES COMMITTEE

197. PLANNING COMMISSION: RECOMMEND APPROVAL OF ZONE CHANGE FOR 1115

CHERRY AVE NE FR B-4-SPECIAL BUSINESS, B-3-GENERAL BUSINESS, PB-4-SPECIAL BUSINESS, AND R-4-MULTI FAMILY RESIDENTIAL TO PB-4-SPECIAL BUSINESS (STANDARD

PRINTING CO., WARD 2). - JUDICIARY COMMITTEE

198. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF

SERV CONTRACT WITH TRANSYSTEMS REAL ESTATE CONSULTING, INC., TO COMPLETE RIGHT-OF-WAY ACQUISITION SERV FOR MAHONING RD. CORRIDOR PROJ, PHASE TWO, G.P. 1103, PID'S 90268, 90361, 90365, 91594; MAKE SUPP APPROP OF \$435,750.00 FR UNAPPROP BAL OF 4566 MAHONING RD. CORRIDOR PROJ, GP 1103 FUND TO 4566-202079 MAHONING RD. CORRIDOR PROJ, GP 1103 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL

IMPROVEMENT COMMITTEE

199. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH BOWMAN APPRAISAL SERVICE, INC.,

TO COMPLETE APPRAISAL REVIEW WORK FOR MAHONING RD. CORRIDOR PROJ, PHASE TWO, G.P. 1103, PID'S 90268, 90361, 90365, 91594; MAKE SUPP APPROP OF \$44,100.00 FR UNAPPROP BAL OF 4566 MAHONING RD. CORRIDOR PROJ, GP 1103 FUND TO 4566-202079 MAHONING RD. CORRIDOR PROJ, GP 1103 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC

PROPERTY CAPITAL IMPROVEMENT COMMITTEE

COMMUNICATIONS CONTINUED:

200. SERVICE DIRECTOR BARTOS:

RATIFY ACTIONS PURSUANT TO SECTION 105.04 OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AUTHORIZE AUDITOR TO PAY MORAL OB TO PIER ASSOCIATES FOR AMT NOT TO EXCEED \$20,000.00; AUTHORIZE AUDITOR TO PAY MORAL OB TO ALLIED EQUIPMENT COMPANY FOR AMT NOT TO EXCEED \$10,000.00; AUTHORIZE AUDITOR TO PAY MORAL OB TO STANDARD PLUMBING & HEATING CO. FOR AMT NOT TO EXCEED \$11,200.05; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

RECEIPT OF VOUCHER
Referred to Finance Committee

1 ST RDG 1.	AMEND PART FIVE - GENERAL OFFENSES CODE OF CODIFIED ORDINANCES OF CITY OF CANTON BY AMENDMENT OF CHAPTER 505 ANIMALS AND FOWL (ANIMAL CRUELTY) Referred to Judiciary Committee
1 ST RDG 2.	AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS LESH-EVERETT ANNEXATION ARE CONTAINING APPROX .4936 ACRES; ASSIGN TERRITORY TO WARD 6; ZONE TERRITORY AS R-2 (TWO FAMILY RESIDENTIAL); EMERGENCY Referred to Annexation Committee
1 ST RDG 3.	ACCEPT TAX INCENTIVE REVIEW COUNCIL'S RECOMMENDATION REG ENTERPRISE ZONE AND COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGMTS; EMERGENCY Referred to Community & Economic Development Committee
1 ST RDG 4.	AMEND APPROP O#266/2014; EMERGENCY (\$90,000.00 SUPP APPROP FR UNAPPROP BAL OF 2111 STREET MAINTENANCE FUND TO 2111 202210 MAINTENANCE - OTHER; APPROP TRANS OF \$63,000.00 - \$40,000.00 FR 2111 104020 TRAFFIC SIGNAL - OTHER AND \$23,000.00 FR 2111 202020 ENGINEER URBAN FORESTRY - OTHER TO 2111 202210 MAINTENANCE - OTHER; APPROP TRANS OF \$48,000.00 FR 1001 200501 GENERAL GOVERNMENT SUPPORT - OTHER TO 1001 202210 MAINTENANCE - OTHER) Referred to Finance Committee
1 ST RDG 5.	AMEND EXHIBIT A TO ORDINANCE 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERS EMPLOYED BY CITY OF CANTON; EMERGENCY (DEPT 50IS - DEPT OF MANAGEMENT INFORMATION & SYSTEMS, NETWORK ENG. & ANALYST & ANALYST PROG.) Referred to Personnel Committee
<u>1ST RDG</u> 6.	AMEND EXHIBIT A TO ORDINANCE 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERS EMPLOYED BY CITY OF CANTON; EMERGENCY (DEPT 20WP - SERVICE DIRECTOR'S WATER RECLAMATION FACILITY, TREATMENT OPR. 2 & 3) Referred to Personnel Committee
<u>1ST RDG</u> 7.	AMEND EXHIBIT A TO ORDINANCE 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERS EMPLOYED BY CITY OF CANTON; EMERGENCY (DEPT 20WT - SERVICE DIRECTOR'S PUBLIC WORKS - WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIVISION, APP. DEV. ADMINISTRATOR) Referred to Personnel Committee
1 ST RDG 8.	AUTHORIZE MAYOR OR SERV DIR TO EXECUTE A PROF SERV CONTRACT WITH MICHAEL BAKER, JR., INC. FOR DESIGN SERVS RELATED TO MONUMENT ROAD WATER MAIN REPLACEMENT PROJ; AMEND APPROP 0#266/2014; EMERGENCY (\$65,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207039 MONUMENT ROAD WATER MAIN REPLACEMENT PROJECT - OTHER); AUDITOR AUTHORIZED TO DRAW WARRANTS UP RECEIPT OF VOUCHERS Referred to Finance Committee
1 ST RDG 9.	AUTHORIZE MAYOR OR SERV DIR TO EXECUTE A PROF SERV CONTRACT WITH ARCADIS FOR DESIGN SERV RELATED TO THE 41 ST STREET AND 49 TH STREET AREA WATER IMPROVEMENT PROJECT; AMEND APPROP O#266/2014; EMERGENCY (\$22,200.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 DISTRIBUTION MAINTENANCE - OTHER); AUDITOR AUTHORIZED TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS Referred to Finance Committee
<u>1ST RDG</u> 10.	AUTHORIZE MAYOR OR SERV DIR TO EXECUTE A PROF SERV CONTRACT WITH ME/IBI GROUP FOR DESIGN SERV RELATED TO HARRISON AVENUE/44TH STREET N.W. WATER MAIN REPLACEMENT PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$43,516.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207036 HARRISON AVENUE/44TH STREET WATER MAIN REPLACEMENT PROJECT - OTHER) AUDITOR AUTHORIZED TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS Referred to Finance Committee
<u>1ST RDG</u> 11.	AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 1 IN AMT NOT TO EXCEED

\$233,629.00 WITH SHOOK CONSTRUCTION INC. FOR PHOSPHORUS/TOTAL NITROGEN PROJ - CONTRACT NO. 26; AMEND APPROP O#266/2014; EMERGENCY (\$233,629.00 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJECT (MEMBRANE) FUND TO 5442 206054 WRF PHOSPHORUS (CONSTRUCTION) - OTHER; AUDITOR AUTHORIZED TO DRAW WARRANTS UPON

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING: (SUSPENDED RULE 22A TO ADD 2ND RDG O#12 - O#24; O#21 - O#24 ADOPTED IN 2ND RDG)

2 ND RDG	_12.	AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO A PROF SERV CONTRACT WITH BURGESS NIPLE FOR DESIGN AND CONSTRUCTION ADMIN SERV FOR 53 RD ST RESERVOIRS REROOFIN PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$89,000.00 FR UNAPPROP BAL OF 5201 WAFUND TO 5201 207033 - 53 RD ST RESERVOIR ROOF - OTHER)	G
2 ND RDG	_13.	AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGEN (1604 HARRISBURG RD NE, HOB NOB, WARD 9) (JUD) PUB HRG 6/1/15 @ 7:30	
2 ND RDG	_14.	AMEND 0#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGEN (1411 CHERRY AVE NE, FOP MCKINLEY #2, WARD 2) (JUD) PUB HRG 6/1/15 @ 7:31	
2 ND RDG	_15.	AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGEN (211 15 TH ST NW, DR. JAMES JOHNS, WARD 9) (JUD) PUB HRG 6/1/15 @ 7:32	
2 ND RDG	_16.	ESTABLISH FAIR REUSE VALUE OF 3 PARCELS OF CITY-OWNED PROPERTY; AUTHORIZE SAL AND CONVEYANCE OF SAID PROPERTIES; EMERGENCY (PARCEL #02-25379, PART OF LOT #1619; PARCEL #02-20767, PART OF LOT #1619 & 1577; PARCEL #02-14421, PART OF LOT #157 LOCATED ON 2 ND ST NW TO CANTON LABORERS' HOME CO) (C8	
2 ND RDG	_17.	AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO DEPT OF REHAB & CORRECTION FOR RECEIPT OF FY 2016 COMMUNITY CORRECTIONS ACT GRANT IN AMT NOT TO EXCEED \$170,601.00; EMERGENCY (MUNICIPAL COURT PROBATION DEPT)	T (FIN)
<u>2ND RDG</u>	_18.	AMEND APPROP O#266/2014; EMERGENCY (\$31,960.00 INTERFUND ADVANCE FR 1001 301001 82341 GEN FUND - OTHER TO 2335 301001 84341 EARLY HEAD START GRANT FUND - OTHER; \$31,960.00 SUPP APPROP FR UNAPPROP BAL OF 2335 EARLY HEAD START GRANT FUND TO 301001 - OTHER)	
2 ND RDG	_19.	AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$1,519.60 TO SPRINT; EMERGENCY (POLICE DEPT AIR CARDS NOT TIMELY DEACTIVATED FROM AT&T)	(FIN)
<u>2ND RDG</u>	_20.	AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER 3 WITH CENTRAL ALLIED ENTERPRISES FOR 12 TH ST N. CORRIDOR PROJ, GP 1098, PID 85299; AMEND APPROP O#264/2013; EMERGENCY (\$326,425.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 202 12 TH ST N CORRIDOR IMPROVEMENT - OTHER)	
92/2015	_21.	AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH ARCADIS FOR DESIGN OF 40 TH ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ; AMEND APPROO 0#266/2014; EMERGENCY (\$88,500.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 2070 40 TH ST/GRUNDER AVE AREA - OTHER)	Р
93/2015	_22.	AUTHORIZE MAYOR OR SERV DIR TO EXECUTE PROF SERV CONTRACT WITH CT CONSULTA FOR DESIGN OF AVONDALE AREA WATER MAIN REPLACEMENT PROJ (PHASE I); AMEND APPROP O#266/2014; EMERGENCY (\$78,500.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207035 AVONDALE AREA WATER MAIN - OTHER)	
94/2015	_23.	AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH ME/IBI GROF FOR DESIGN OF 38 TH ST NW WATER MAIN REPLACEMENT & ROADWAY RECONSTRUCTION PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$40,000.00 FR UNAPPROP BAL OF 5201 WAFUND TO 5201 207037 38 TH ST NW IMPROVEMENT PROJ - OTHER; \$50,000.00 FR UNAPPROP BOF 4501 CAPITAL FUND TO 4501 207037 38 TH ST NW IMPROVEMENT PROJ - OTHER) (P	TER
95/2015	_24.	AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR WESTMORELAND AVE NW WATER MAIN REPLACEMENT PREXECUTE PROF SERV CONTRACT FOR CONSTRUCTION OVERSIGHT SERV AND TO PURCH 3 EASEMENTS FOR THIS PROJ; RECEIVE GRANT FUNDS IN AMT OF \$750,000.00 AND 0% LOAN IN AMT OF \$750,000.00 FR OPWC; AUTHORIZE AUDITOR TO ESTABLISH SEPARATE FUND FOR PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$1,500,000.00 FR UNAPPROP BAL OF 5230 WESTMORELAND WATER MAIN REPLACEMENT PROJ FUND TO 5230 207029 WESTMORELAND WATER MAIN REPLACEMENT - OTHER; \$1,322,000.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207029 WESTMORELAND WATER MAIN REPLACEMENT - OTHER)	IN D

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE

AMENDED AS

- 96/2015 25. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO 1 YR PROF SERV CONTRACT WITH COMPMANAGEMENT, INC. IN APPROX AMT OF \$29,000.00 FOR WORKERS' COMP ADMIN SERV RETROACTIVE TO 1/1/15; EMERGENCY
- 97/2015 26. AUTHORIZE AUDITOR TO ESTABLISH 2461 MARKET SQUARE DONATION FUND; EMERGENCY
- 98/2015 27. APPROVE AND ACCEPT REPLAT OF LOT 7855 AND PARTS OF LOTS 7854, 7851, 7865, 7856, 7857 AND VACATED PORTION OF A 15' ALLEY; EMERGENCY (1604 HARRISBURG NE HOB NOB)

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

99/2015 28. AMEND APPROP O#266/2014; EMERGENCY (\$501.11 SUPP APPROP FR UNAPPROP BAL OF 2783 2014 FIRE DONATION FUND TO 2783 103001 2015 FIRE DONATION FUND - OTHER LINE 734.58 - MISCELLANEOUS SUPPLIES; \$7,868.79 SUPP APPROP FR UNAPPROP BAL 2812 2014 EMS TRAINING/EQUIPMENT TO 2812 103001 2015 EMS TRAINING/EQUIPMENT - OTHER LINE 734.58 - MISCELLANEOUS SUPPLIES - \$3,000.00, LINE 734.17 - EQUIPMENT (\$0-500) - \$3,000.00, LINE 722.20 - REGISTRATION - \$1,868.79)

AMENDED AS

29. AMEND APPROP O#266/2014; EMERGENCY (\$4,524.16 SUPP APPROP FR UNAPPROP BAL OF 2769 2011 EDWARD BYRNE GRANT FUND TO 2769 102001 POLICE ADMIN - OTHER; \$62.09 SUPP APPROP FR UNAPPROP BAL OF 2771 2012 EDWARD BYRNE GRANT FUND TO 2771 102001 POLICE ADMIN - OTHER; \$18,825.49 FR UNAPPROP BAL 2772 2013 EDWARD BYRNE GRANT FUND TO 2772 102001 POLICE ADMIN - OTHER

101/2015 30. AUTHORIZE AND CONSENT TO MISC BRIDGE WORK TO THREE STRUCTURES; EMERGENCY (US 62)

102/2015 31. AUTHORIZE AND CONSENT TO REPAIR AND SEAL SPALLED ABUTMENT JOINT, INSTALL LATERAL RESTRAINT AT PIERS AND INSTALL ABUTMENT END DIAPHRAM WITHIN CORP LIMITS OF CITY; EMERGENCY (US30)

103/2015 32. AUTHORIZE AND CONSENT TO DECK SEALING OF STRUCTURES STA-SR 43-12.39 AND STA-U.S. 62-18.82; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, June 1, 2015 in Council Caucus Room at 6:15 PM

1) Finance Committee

2) Annexation Committee

3) Personnel Committee

4) Community & Economic Development Committee

5) Judiciary Committee

MISCELLANEOUS BUSINESS: Law Director Martuccio address Byron and Kirby Jenkins' concerns regarding Pit Bulls. He said the State law had changed, and although the City has some home rules, the State trumps us. For a while the dog's image got better and the lobbyists got stronger. He asked that they continue reporting any dogs they see at large because there is a fineable, misdemeanor law. He advised that they see the Canton Prosecutor if they wished to file a complaint. The Prosecutor will follow up with a letter, letting the owners know they can be prosecuted. Law Director Martuccio also mentioned to Member Hart that he read in the paper where it was 100 years ago that Council voted to pave over the bricks roads. Member Hart complimented Deputy Mayor Williams and Service Director Bartos on the great job they did welcoming the new Safety Forces during the swearing in ceremony. Member West voiced his support for an Animal Nuisance Control Officer. He mentioned that some owners of dogs, such as Pit Bulls, are irresponsible. He believes the situation needs to be addressed. He also said that Market Square currently has no definite design plan and that he's sure there will be a green space. He told members in the audience that if they hear differently, to contact him. Member Dougherty asked for help from the Administration for getting the City Flags up. He said that the Hall of Fame has one up along Fulton Rd., but there are still some Fire and Service Stations without a City Flag. He said that where ever there is a City pole and the American Flag is flying, there should be a City Flag also. Member Smuckler asked if the City communicates with the gas and electric companies when it comes to ripping up our streets. He was surprised to hear what went on at 38th Street. He asked if the City has a sign-off process, and if not, should an Ordinance with outside utility companies be done.

ADJOURNMENT: 8:45 P.M.