

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

APRIL 11, 2016

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: President Schulman Absent

INVOCATION: Frank Morris, Ward 9 Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem Morris

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#7 - O#8)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Robert Tabor stated he was with the Maple Park Neighborhood Assoc. He spoke about issues that he has been having with the nearby factory that burned down a few years ago. Currently someone has purchased the property and is constructing a fence around it which makes it hard for him to turn into his own driveway. He states that the property is in total disarray and wondered how the person who purchased it received a permit to build a fence without first being made to clean it up. President Pro Tem Morris said that he has been working with this particular neighbor and the neighbor's attorney, Brian Zimmerman in an effort to clean up the property. This property was an EPA nightmare that the neighbor took it off the City's hands. Walter Moss, who is with the Vassar Park Assoc. and also on the CIRV Board, gave a CIRV report stating everything is going well. On April 2, 2016, CIRV collaborated with various entities in the City and completed a Police Survey. Once the information is tabulated, they will give the report to the Canton Police Department. He also offered his services to talk to the youth if anyone needed him. Jim Knight, also of CIRV, said they will be moving forward this summer letting people know about the resources they offer. He informed Council that they have business cards and more information available about speaking at neighborhood meetings. Pat Silagy-Wesson from the Neighborhood Leadership Council said that the Council was organized over 20 years ago. They have monthly meetings under the leadership of Marilyn Thomas-Jones. She asked all members of the various Neighborhood Associations to stand and be recognized. She said that they always show up for city-wide meetings because they're concerned and committed to the City of Canton. Their Neighborhood Associations motto is "You don't have to move to live in a better neighborhood." Paul Burt voiced his concerns about a neighbor that doesn't take care of his property. He said he's complained for the past 2 years about this same issue and nothing has been done. He said that many of the issues are the same from year to year with the same houses and the same landlords and that there needs to be a change. Chris Leach spoke about cars parked everywhere in his neighborhood with expired plates. He believes that most of these vehicles don't have insurance. He also stated that mini bikes, 4 wheelers, and go-cars are out in full force already and with that comes more safety hazards. Lynn Payton, with Action Neighborhood Association, had various questions such as who's responsible for the street lights and potholes and the wild animals that leave excrement everywhere in her neighborhood. She also wanted to know why the old Jackson Pool area can't be turned into a kiddie park for their neighborhood. She asked why no one told them about the Hunter House and why they don't have bus shelters at their bus stops. She also wanted to know why the Southeast Community Center was closing because they just marched two weeks ago to keep it open. President Pro Tem Morris informed Ms. Payton that Member Smith would speak with her afterwards because it would be a shock to everyone to find out that the Center was closing. Marcia Zawacky thought the Neighborhood Leadership Council gave a great presentation. She stated that she was born in the City of Canton and asked that everyone please take these issues to heart. The City has gotten smaller and isn't in a good state. The various groups from the Neighborhood Associations are doing their best to do good things to keep the City in good shape. She is on Fair Housing Review Board and is also a Neighborhood Association President. She believes that the Code Enforcement Office isn't being responsible for the quality of housing. She gave an example of a disabled person who had complained to Fair Housing about various issues with her property. The landlord was using plywood for a door and the toilet was broken. When someone came to fix the issues and she informed them that the toilet was broken, that person went to her basement and urinated on the floor. She doesn't believe that people should be treated badly because they're poor and also believes that the perception of people being poor sometimes is due to the quality of their housing. She asked Council and the Administration to pay more attention to the quality of housing and believes that if the houses weren't substandard, more taxes could be collected, which would help the financial condition of the city.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

148. COMM DEV DIRECTOR MILLER: AUTHORIZE MAYOR TO SUBMIT THE CITY'S 2016 ANNUAL ACTION PLAN TO HUD AND TO ACCEPT AND EXECUTE GRANT AGMTS WITH HUD FOR 2016 PROG YR; AUTHORIZE MAYOR TO REVISE AND/OR AMEND CONSOLIDATED PLAN & BUDGETS FOR CDBG, HOME AND ESG PER CITIZEN'S PARTICIPATION PLAN; AUTHORIZE & DIRECT AUDITOR TO REVISE BUDGETS AS PERMITTED; UTILIZE ESTABLISHED FUND ACCTS KNOWN AS CDBG, HOME AND ESG AND DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
149. LIQUOR CONTROL DIV (OHIO): REQ D1 D3 NEW PERMIT FOR T BIRD BAR AND GRILL LLC DBA THE T-BIRD BAR AND GRILL @ 1425 15TH ST SW. - RECEIVED & FILED
150. MAYOR BERNABEI: ADOPT TAX INCENTIVE REVIEW COUNCIL'S RECOMMENDATIONS REGARDING ENTERPRISE ZONE & COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGMTS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
151. PARK DIRECTOR GORDON: AUTHORIZE PARK DIR/PARK COMM TO ENTER INTO CONTRACT FOR PURCH OF ONE (1) 2016 FORD F250 SRW 4X4 REG CAB FR DOWNTOWN FORD FOR PRICE OF \$26,312.42 IN ACCORD WITH ORC 125.04 (STATE COOP PURCH THRU DEPT OF ADMIN SERV) OR ORC 5513.01 (OHIO DEPT OF TRANS COOP PURCH); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

152. SAFETY DIRECTOR PERRY: REQ LEGISLATION AMENDING CODIFIED ORDINANCE SEC 1351.03 TO INCLUDE WORDING "VACANT" IN CONJUNCTION WITH "NON-OWNER OCCUPIED". - JUDICIARY COMMITTEE
153. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO THREE (3) YR PROF SERVS CONTRACT WITH PHYSIO-CONTROL, INC. FR 5/2/16 TO 5/1/19 FOR CARDIAC MONITOR MAINT IN AMT NOT TO EXCEED \$61,882.80; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
154. SAFETY DIRECTOR PERRY: REQ APPROVAL OF SHOTSPOTTER FLEX CONTRACT RENEWAL FOR ADDT'L ONE-YEAR TERM IN AMT OF \$135,000.00, DUE 5/30/16 FR POLICE ADMIN FUNDS. - FINANCE COMMITTEE
155. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH ME/IBI GROUP FOR DESIGN; MAKE \$35,997.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207043 RIDGEWOOD EAST WATER MAIN REPLACEMENT & ROADWAY RECONSTRUCTION PROJ - OTHER; \$16,675.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 207043 RIDGEWOOD EAST WATER MAIN REPLACEMENT & ROADWAY RECONSTRUCTION PROJ - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE & PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
156. TREASURER PEREZ: RPT OF PARKING METER REV FOR MARCH 2016. - RECEIVED & FILED
157. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX FOR MARCH 2016. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (P.A.L. MISSION) PUB HRG 4/25/16 @ 7:32PM
Referred to Judiciary Committee
- 1ST RDG 2. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (HAMMER & NAILS) PUB HRG 4/25/16 @ 7:33PM
Referred to Judiciary Committee
- 1ST RDG 3. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS FIRST TEE OF CANTON NO. 2 ANNEXATION AREA CONTAINING APPROX 0.099 ACRES; ASSIGN TERRITORY TO WARD 6; ZONE TERRITORY AS OS (OPEN SPACE); EMERGENCY PUB HRG 4/25/16 @ 7:31PM
Referred to Annexation Committee
- 1ST RDG 4. AMEND APPROP O#44/2016; EMERGENCY (\$11,649.61 APPROP TRF FR 4502 104020 TRAFFIC SIGNAL - PERSONNEL TO 4502 104020 TRAFFIC SIGNAL - OTHER; \$4,980.03 APPROP TRF FR 4502 104040 TRAFFIC ENG/PARKING METER - PERSONNEL TO 4502 104040 TRAFFIC ENG/PARKING METER - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 5. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER #1 AND FINAL WITH ACLARA TECHNOLOGIES, LLC IN AMT NOT TO EXCEED \$142,539.04 FOR WATER METER AND METER TRANSMITTING UNIT REPLACEMENT PROG; EMERGENCY
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT & EXECUTE PROF SERVS CONTRACT FOR CONSTRUCTION OVERSIGHT SERVS FOR AVONDALE AREA PHASE 1 WATER MAIN REPLACEMENT PROJ; RECEIVE GRANT FUNDS IN AMT OF \$475,000.00 & A ZERO PERCENT INT LOAN IN AMT OF \$475,000.00; AUTHORIZE AUDITOR TO ESTABLISH 5232 AVONDALE AREA PHASE 1 WATER MAIN REPLACEMENT PROJ FUND; AMEND APPROP O#44/2016; EMERGENCY (\$950,000.00 SUPP APPROP FR UNAPPROP BAL OF 5232 AVONDALE PHASE 1 WATER MAIN REPLACEMENT PROJ FUND TO 5232 207035 AVONDALE PHASE 1 WATER MAIN REPLACEMENT - OTHER; \$1,345,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207035 AVONDALE PHASE 1 WATER MAIN REPLACEMENT - OTHER)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD 2ND RDG O#7 - O#8)****RETAINED IN COMMITTEE**

- 2ND RDG 7. ADD CHAPTER 1352, VACANT COMMERCIAL PROPERTY MAINTENANCE AND STANDARDS, TO BLDG CODE OF CODIFIED ORDINANCES OF CITY OF CANTON (JUD)
- 2ND RDG 8. AMEND APPROP O#44/2016; EMERGENCY (\$50,472.16 FR UNAPPROP BAL OF 2776 POLICE DONATION FUND TO 2776 102001 POLICE DONATION - OTHER FOR \$5,004.48 & TO 2776 102005 POLICE DONATION FUND FOR \$45,467.68) (FIN)

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

- 65/2016** 9. APPROVE CANTON CITY WATER MAIN EXTENSION TO PLAIN TOWNSHIP; AUTHORIZE SERV DIR TO ENTER INTO AGMTS FOR EXTENSION OF SAID WATER MAIN; EMERGENCY (LOT #103 WOODCREST AVE NE)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, April 18, 2016 in Council Caucus Room at 6:30 PM**

- 1) Finance Committee
- 2) Annexation Committee
- 3) Public Property Capital Improvement Committee
- 4) Judiciary Committee

MISCELLANEOUS BUSINESS: Member Smith spoke to Lynn Payton and informed her that the Southeast Community Center will remain open. She also asked her to remain after the meeting so that she could speak with her and answer all of her other questions. Member Fisher thanked all of the Neighborhood Associations for their attendance. He told Chris Leach that all of his information was accurate except for the statement about the weather changing! He also mentioned that he had spoken with the Police Chief and Capt. Angelo regarding the car issue and they will be getting help for that. Member West stated that the sidewalks and curbs at 12th & McKinley and Cleveland Ave are already eroding after only 6 months. He wants them inspected and fixed. He also informed everyone that the 12th St. Project will be underway in about a week, between Market & Cleveland. He asked that everyone try to avoid it, but still patronize the restaurants in the area. He also let everyone know that construction has started on O'Jays Parkway and 12th St. Service Director Bartos stated that they will check into the issues along 12th St. to make sure we're getting a quality product and will report back next week. Member Hawk thanked the Traffic Engineering Dept. for their prompt service in replacing a sign. Member Dougherty said that Marilyn Thomas-Jones complimented the work being done on the Mahoning Rd. Corridor. He stated that it has taken a long time because when he brought up doing the Corridors coming into the City, it was met with lots of friction. The \$25,000.00 seed was planted by the Neighborhood Associations by going to Washington and soliciting money from various groups. It took at least 10 years to get it done but it was started from the neighborhood up, not government down. It was the first in the history of the City, for a project that big. The goal is to get it all the way to the highway and that's why it's gone from Mahoning Rd. to 12th St. President Pro Tem Morris spoke to the housing issues and agreed with Member Dougherty's statement about it taking a while to get things done. He's been fighting for a Housing Track for 4 years and is still fighting the same battles with Code Enforcement, trying to get things done. The City has wonderful laws but no enforcement. He said he understands the "pain" of the Neighborhood Associations with regards to making complaints and nothing getting done. Last year the Council, Administration, Building Dept. and Law Dept. met and had the same concerns. There were no resources available to address the problems. Since then the minimal landlord registration fees have been increased from \$20.00 to \$80.00. The Building Dept. has been taken to an Enterprise Fund, which means they will have the budget to hire more Code Enforcement Officers and will have the resources to prosecute. Law Director Martuccio stated that he belongs to the Market Hills Neighborhood Association. He said he is in awe of how much voluntary time goes into the work that the Associations do and thanked everyone for their work. He said he understands that they care very deeply for their neighborhoods and that the City needs their eyes and ears. He stated that Linda Barns, in her earlier presentation, asked for a "Housing Court". He informed everyone that Housing Courts can only be born and given birth by the General Assembly of Ohio, the House and the Senate, and there are only a few in all of Ohio, in the larger cities. However, Council, Administration and the Courts, all three branches, have come together and a "Housing Track" is in the works and will take place on a regular basis. They already do a lot of cases regarding landlords and tenants, they can add prosecution and code violations, both civil and criminal. He told the people from the Associations that their eyes and ears are needed in helping to identify the worst of the worst to prosecute, and to set examples.

ADJOURNMENT: 8:23 P.M.