

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

DECEMBER 21, 2009

ROLL CALL: Eleven Council Members Present. One Absent (Member Kraus)

INVOCATION: Patrick Barton, Ward 7 Council Member

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#1 & O#3A & 2nd Rdg O#5 - O#9; O#1 & O#3A Adopted on 1st Rdg; O#4 Retained in Cmte; O#10 (238/2009), O#11 (239/2009), O#12 (240/2009) Reconsidered & Adopted as Amended; O#13 Adopted as Amended)

PUBLIC HEARINGS: (None)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): (None)

INFORMAL RESOLUTIONS:

- MAJORITY LEADER DON CASAR: EXCUSING MEMBERS. (MEMBER KRAUS)
65. HAWK, G. WARD 1 CNCLMBR: COMMENDING JAMES BOWER FOR HIS OUTSTANDING CAREER AT THE STARK COMMUNITY FOUNDATION AND WISH HIM THE BEST IN HIS RETIREMENT YEARS. - ADOPTED
66. HAWK, G. WARD 1 CNCLMBR: EXTENDING SYMPATHY & APPRECIATION TO ROBERT C. MARSHALL'S FAMILY & FRIENDS WITH ADMIRATION FOR HIM & HIS WORK AS SITE COORDINATOR FOR CENTRAL CANTON WEED & SEED STEERING COMMITTEE. - ADOPTED
67. PERSONNEL COMMITTEE: REQ AUTHORIZATION OF APPT OF DONALD SINGER TO HARTFORD HOUTS POOR FUND COMMENCING 11/1/09 - 10/31/14. - ADOPTED
68. SMITH, C. WARD 4 CNCLMBR: SUPPORTING THE USE OF CAPITAL IMPROVEMENT LEGISLATIVE GRANT & PORTIONS OF OTHER FUNDS TO DEVELOP THE "CANTON WATER FACILITY" AT THE EDWARD "PEEL" COLEMAN CENTER. - ADOPTED

COMMUNICATIONS:

522. FINANCE DIRECTOR ALGER: AUTHORIZE SUPP APPROPS, APPROP TRANSFERS &/OR APPROP REDUCTION (TO MEET FINAL 2009 PAYROLL). - FINANCE COMMITTEE
523. HEALTH COMMISSIONER ADAMS: SUBMITTING 2010 GENERAL REVENUE BUDGET REQUEST APPROVED BY BD OF HEALTH AT THEIR REGULAR MTG ON 12/14/09. - RECEIVED & FILED
524. LAW DIRECTOR MARTUCCIO: REQ TO RECONSIDER & AMEND O#238/2009, 239/2009, & 240/2009; PERMIT A NEW ORDINANCE TO AUTHORIZE AN ANTICIPATORY SECURITY. - FINANCE COMMITTEE
525. MAYOR HEALY: AUTHORIZE RE-APPT OF STEVE COON TO ARCHITECTURAL REVIEW BD COMMENCING 1/1/10 - 12/31/13. - PERSONNEL COMMITTEE
526. MAYOR HEALY: AUTHORIZE RE-APPT OF CLINT ZOLLINGER TO FAIR EMPLOYMENT PRACTICES BD FOR THREE YR TERM COMMENCING 1/1/10 - 12/31/12. - PERSONNEL COMMITTEE
527. MAYOR HEALY: AUTHORIZE APPT OF KARL "BUTCH" KRAUS TO BD OF ZONING APPEALS FOR THREE YR TERM COMMENCING 1/1/10 - 12/31/12. - PERSONNEL COMMITTEE
528. MAYOR HEALY: ADVISE OF RE-APPT OF STEVE KATZ TO CCIC FOR ONE YR TERM COMMENCING 1/1/10 - 12/31/10. - RECEIVED & FILED
529. MAYOR HEALY: ADVISE RE-APPT OF ROBERT THOMPSON TO CCIC FOR ONE YR TERM COMMENCING 1/1/10 - 12/31/10. - RECEIVED & FILED
530. MAYOR HEALY: ADVISE OF RE-APPT OF DONALD PETERSON TO CCIC FOR ONE YR TERM COMMENCING 1/1/10 - 12/31/10. - RECEIVED & FILED
531. MAYOR HEALY: ADVISE OF APPT OF REV WARREN CHAVERS TO CIVIL SVC COMMISSION FOR SIX YR TERM COMMENCING 1/1/10 - 12/31/15. - RECEIVED & FILED
532. MAYOR HEALY: ADVISE OF APPT OF JAMES BOWE, SR TO PLANNING COMMISSION COMMENCING 1/1/10 - 12/31/15. - RECEIVED & FILED
533. MAYOR HEALY: ADVISE OF RE-APPT OF ALEXANDER HAAS TO CITY PLANNING COMMISSION FOR SIX YR TERM RETRO COMMENCING 6/1/09 - 5/31/15. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

***(COUNCIL RECESSED @ 7:53 PM FOR PERSONNEL & FINANCE COMMITTEES TO DISCUSS THE ADOPTION OF O#1; RECONVENED @ 7:54 PM)**

- 244/2009** 1. REDUCING SALARIES FOR COUNCIL MBRS & PRESIDENT OF COUNCIL; AMEND EXHIBIT A TO O#164/2001, AS AMENDED, CLASSIFICATION PLAN & SALARIES FOR ALL MGMT & NON-BARGAINING UNIT EMPLOYEES; ACCEPTING PROPOSED HEALTH CARE CHANGES; EMERGENCY (EFF 1/1/10 - 12/31/11 - 6.28%)
Referred to Personnel and Finance Committees
- 1ST RDG** 2. AUTHORIZE SERV DIR TO EXECUTE & DELIVER TO DOMINION EAST OHIO GAS COMPANY AN EASEMENT ON PROPERTY OWNED BY CITY; EMERGENCY (TO PERMIT RELOCATION OF A NATURAL GAS PIPELINE AS PART OF A BRIDGE REPLACEMENT PROJ AT OR NEAR GUILFORD AVE NW)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG** 3. AUTHORIZE & CONSENT TO ODOT QUALIFIED CONTRACTING FOR MINOR REHABILITATION & RESURFACING OF SR 627; FAIRCREST ST; EMERGENCY
Referred to Public Safety & Thoroughfares Committee

***(COUNCIL RECESSED @ 7:58 PM FOR PERSONNEL & FINANCE COMMITTEES TO DISCUSS THE ADOPTION OF O#3A; RECONVENED @ 8:01 PM)**

- 245/2009** 3A. PROVIDE FOR ISSUANCE & SALE OF BOND ANTICIPATION NOTES IN THE AGGREGATE PRINCIPAL AMT OF \$1,800,000.00 FOR PURPOSE OF PROVIDING FUNDS TO PAY A COURT-APPROVED SETTLEMENT OF A CLAIM AGAINST THE CITY
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#5- O#9; O#4 RETAINED IN CMTE)**

RETAINED

- IN CMTE** 4. AMEND TITLE SEVEN, HOUSING STANDARDS, OF PART THIRTEEN - BLDG CODE (JUD)
- 2ND RDG** 5. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (ICAN HOUSING SOLUTIONS - OUT LOT # 1140, RICHMOND AVE NE) **PUB HRG 12/28/09 @ 7:30 P.M.** (JUD)
- 2ND RDG** 6. AUTHORIZE MAYOR &/OR SERV DIR TO PURCHASE REAL PROP IN CONJUNCTION W/NEIGHBORHOOD STABILIZATION PROG; AUTHORIZING MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT FOR DEMO OF BLDG LOCATED ON PROP; EMERGENCY (C&ED)
- 2ND RDG** 7. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO JOB CREATION TAX INCENTIVE & NET PROFITS INCENTIVE AGMTS W/MEDLINE IND, INC.; EMERGENCY (C&ED)
- 2ND RDG** 8. APPROVE & ACCEPT REPLAT OF OUT LOTS 1306 & 1307; EMERGENCY (PS&T)
- 2ND RDG** 9. APPROVE & ACCEPT DEDICATION PLAT OF A PORTION OF HARMONT AVE & SLOPE EASEMENTS; APPROVE & ACCEPT REPLAT OF LOT 42587 & PART OF LOT 37251; EMERGENCY (PS&T)

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

- 238/2009** 10. **O#238/2009 FROM 12/14/09** AUTHORIZE SETTLEMENT OF *TROY PIROLOZZI V. ERIC STANBRO, ET AL.*; AMEND APPROP O#193/2008, AS AMENDED, BY APPROPRIATING FROM THE UNAPPROP BAL & ALLOCATING SAME TO ITEM HEREIN DESCRIBED; EMERGENCY

RECONSIDERED & AMENDED

- 239/2009** 11. **O#239/2009 FROM 12/14/09** AUTHORIZE AUDITOR TO ENTER INTO AGMTS W/SQUIRES, SANDERS & DEMPSEY TO ISSUE A ONE YR BOND ANTICIPATION NOTE; EMERGENCY (*TROY PIROLOZZI V. ERIC STANBRO, ET AL*)

RECONSIDERED & AMENDED

- 240/2009** 12. **O#240/2009 FROM 12/14/09** AMEND APPROP O#193/2008, AS AMENDED BY MAKING VARIOUS SUPP APPROPS & INTERFUND TRANSFER; EMERGENCY (*TROY PIROLOZZI V. ERIC STANBRO, ET AL* \$1,800,000.00)

AMENDED

- 246/2009** 13. AMEND TITLE FIVE - ADDT'L PUBLIC SVCS TO PART NINE - STREETS, UTILITIES & PUBLIC SVCS CODE OF CODIFIED ORDINANCES BY THE ADDITION OF CHAPTER 972, SPECIAL EVENTS
- 247/2009** 14. AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONSTRUCTION CONTRACT FOR SHERRICK RD IMPROV PROJ, GP 1121; EXECUTE A PROF SVCS CONTRACT FOR CONSTRUCTION ENGINEERING SVCS W/OMNI PRO SVCS LLC; REC AMER RECOVERY & REINVESTMENT ACT FUNDS IN AMT OF \$1,500,000.00 FOR PROJ THRU ODOT TO FUND THE COST OF BOTH THE CONSTRUCTION & CONSTRUCTION ENGINEERING CONTRACTS; AUTHORIZE AUDITOR TO ESTABLISH THE 4559 SHERRICK RD IMPROV FUND GP 1121; AMEND APPROP O#193/2008; EMERGENCY

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

- 248/2009** 15. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AGMTS FOR GRANTS W/US DEPT OF ENERGY & AEP TO RECEIVE THE SUBSEQUENT GRANTS; ENTER INTO PROF SVCS CONTRACT WITH URS CORP FOR COMPLETION OF A COMPREHENSIVE DETAILED ENERGY AUDIT IN AMT NOT TO EXCEED \$75,000.00; ADVERTISE, REC BIDS & ENTER INTO VARIOUS MATERIALS, SUPPLIES & CONSTRUCTION CONTRACTS NEEDED TO CONSTRUCT IMPROV PROJ &/OR ENTER INTO CONTRACTS FOR PURCHASE OF MATERIALS & SUPPLIES PURSUANT TO REV CODE SECTIONS 125.04 & 5513.01; AUTHORIZE AUDITOR TO ESTABLISH THE 2236 ENERGY EFFICIENCY & CONSERVATION GRANT FUND; AMEND APPROP O#193/2008; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**TUESDAY, DECEMBER 22, 2009 in Council Caucus @ 6:00 P.M.**

- 1) Judiciary Committee

MONDAY, DECEMBER 28, 2009 in Council Caucus @ 6:45 P.M.

- 1) Public Safety & Thoroughfares Committee
- 2) Personnel Committee

PUBLIC SPEAKS: Steve Rich re: Expressing concern for the safety of his firefighters and the citizens; Martha Stockdale re: Believes the layoffs are putting lives in jeopardy; Justin Watson re: Stating that he has been leading the picketing since December 1st and intends to continue to do so; Michael Taylor re: Speaking as a representative for the State and International Firefighters and the firefighters of Canton, Local 249. Asking everyone to rethink the consequences of their actions and to think of alternatives that will not so adversely affect the Community; George Jordan re: Stating that he has two granddaughters that live in the City and their health and safety are very important to him; Pete DiGiacomo re: Believed there would be a last minute reprieve with the layoffs but disappointed that it did not happen; Rosario Carcione re: Discussed the impact that the layoffs of the 28 firefighters will have.

MISCELLANEOUS BUSINESS: Member Cirelli re: Asking the Mayor if he has looked at all the finances and if there is any money anywhere to bring the laid off firefighters back. Also asking why the money the EMS brings in goes to the general fund; Mayor Healy re: Stating that they are reviewing the funds but that there is limited money to review; President Schulman re: Stating that Council does not hire, fire or layoff employees and that it's not fair that the Mayor implied that they do. Also asking the Mayor to justify a Communications Director position when the City is laying off employees; Member West re: Asking the Safety Director if the firefighters were asked to take a 40% pay cut; Safety Director re: Stating that only the 28 laid off firefighters were asked to take a 40% pay cut; Member Horner re: Asking the Mayor if the deal he offered the firefighters would guarantee they would not be laid off in the future; Mayor Healy re: Stating that it was guaranteed there would be no further layoffs in the Fire Department as long as the budget did not get decertified; Member Barton re: Questioning the reasoning for the request of the 40% reduction in pay from the firefighters; Mayor Healy re: Read a proclamation to Majority Leader Casar.

ADJOURNMENT: 8:53 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, DECEMBER 28, 2009 @ 7:30 PM