

ROLL CALL: All Council Members Present

MOTION TO EXCUSE MEMBERS: President Schulman Absent

INVOCATION: Thomas West, Ward 2 Council Member

PLEDGE OF ALLEGIANCE: Led by President Pro Tem Bill Smuckler

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#13 - O#18; O#19 adopted as amended; O#25 postponed until 3/1/10)

PUBLIC HEARINGS: (None)

PUBLIC SPEAKS (CITY BUSINESS): Denisha Mays lives at the YWCA on 6th St NE and wanted to commend Chris Smith and Thomas West for being African American leaders in the community. She stated that it is essential to staying positive in these times and encourages Council to speak with the mortgage lenders in the area to help stop homelessness. Christine Peterson gave all Members of Council and the Administration a booklet for lent regarding the truth through prayer to help guide them in the decisions for our city. Jason Scaglione asked Council to let all of their constituents know about the various Neighborhood Associations which help to open the lines of communications in our community. All citizens can belong somewhere and sometimes these associations can help the other neighbors with special needs in times of shoveling, mowing, etc. Urie Hershberger owns a 9 unit apartment building on Walnut NE that he has cleaned up from the point of being on the demolition list and has seen what a difference his efforts in this building have made to the entire neighborhood, however since he did all of the work, the county raised his property taxes and now the city has raised his water and sanitation rates. He checked into a private sanitation service which has lower rates but found that the city has an Ordinance against using a private service for trash removal within the city so he has asked that the administration permit him to use another sanitation service or meet the rates of that company. Daniel Coen does not live in Canton but he owns over 100 homes in the city and has spent a large amount on renovations and in property taxes. When Mr. Coen began purchasing homes it was with the intention of remodeling them and selling them to other homeowners however the economy did not permit that to happen and now he has had to become a landlord. He is a good landlord for our city and is in support of the IPMC because all of his homes meet code. He is upset that the burden of repair lays on the landlord and not the individual homeowner or the tenants. He feels that all homeowners should be treated equally whether they live in the property or rent it out to others and should be responsible for the same repairs and upkeep to keep our neighborhoods in good condition. Brigid Brockway from the Unitary Universeless Congregation of Canton standing on the side of love to stop oppression of gays, lesbians, bisexuals and transgenders none of which should be discriminated against because of their orientation. She presented Members of Council with Valentine cards. Dave Kirven discussing the IPMC if Canton is being so restrictive of their codes then why has the rental property increased from 40% in the 1990's to 60% now. City Council should be applauded for keeping the safety of the residents in mind while reviewing the new codes. All local contractors feel the inspections should continue and will help with the employment of the trade workers in our city. Dan Fonte has been listening to the back and forth comments regarding the IPMC and the fact that all still have questions. He feels that Council should slow down and take their time in getting this Ordinance and code right by having all of their questions answered and their needs met so that when the new International Property Maintenance Code is passed for Canton they have legislation that they can be proud of not something that will need amended on a regular basis. Ida Ross Freeman has seen changes in the community but not enough changes in minorities employment in this city.

INFORMAL RESOLUTIONS:

15. COUNCIL AS A WHOLE: HONORING SGT. VICTOR GEORGE AS CANTON POLICE OFFICE OF THE YEAR. - ADOPTED

COMMUNICATIONS:

84. AUDITOR MALLONN: CERT OF TOTAL AMT FROM ALL RESOURCES FOR EXPENDITURE & BALANCES. - RECEIVED & FILED
85. COMMUNICATION DIRECTOR HERMAN: AUTHORIZE SERV DIR TO ACCEPT DONATIONS IN AMT OF \$2,500.00 EACH FROM ARTSINSTARK, CANTON REG CHAMBER OF COMMERCE & STARK-TUSC-WAYNE JOINT SOLID WASTE MGMT DISTRICT TO FUND PORTIONS OF CANTON CONNECTION FOR 2010; REQ \$7,500.00 SUPP APPROP FR: UNAPPROP 1001 GENERAL FUND TO: 1001 200501 GENERAL GOVT SUPPORT ADMIN - OTHER. - FINANCE COMMITTEE
86. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR &/OR SERV DIR TO COMPLETE CONTRACTING PROCESS FOR HOME CHDO GREEN HOUSING PROJ, AMEND TO INCLUDE RE-AUTHORIZATION OF O#204/2009 APPL W/US EPA & ACCEPT \$444,004.00 IN BROWNFIELD STIMULUS FUNDS; AUTHORIZE MAYOR TO ENTER INTO CONTRACT W/STARK STATE COLLEGE IN AMT NOT TO EXCEED \$375,559.00 & GOODWILL INDUSTRIES IN AMT NOT TO EXCEED \$66,845.00; AUTHORIZE AUDITOR TO ESTABLISH 2235 BROWNFIELD JOB TRAINING GRANT FUND; AMEND O#193/2008. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES
87. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ECONOMIC GROWTH INITIATIVE AGMT W/AMERIDIAL INC TO PROVIDE JOB CREATION TAX INCENTIVE FOR LOCATING IN CANTON RESULTING IN 170 NEW JOBS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
88. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/CANTON COMMUNITY IMPROVEMENT CORP TO PROVIDE A GRANT UTILIZING CDBG FUNDS IN AMT NOT TO EXCEED \$500,000.00 FOR GRANTS, LOANS, & ADMIN COSTS. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES

COMMUNICATIONS CONTINUED:

89. DEVELOPMENT DIRECTOR TORRES: REQ \$152,265.00 SUPP APPROP FR: UNAPPROP 2211 506001 COMM DEV FUND TO: 2211 506001 COMM DEV - OTHER; HUD HAS APPRVD REIMBURSEMENT OF ELIGIBLE NSP COSTS PAID FROM CDBG FUNDS IN 2009. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES
90. DEVELOPMENT DIRECTOR TORRES: ESTABLISH FAIR REUSE VALUE OF PARCEL OF REAL PROP & AUTHORIZE DISPOSITION OF SAID PROP, PARCEL # 02-22031, RICHARD T. MALLET ON LAWRENCE RD NE. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
91. FINANCE DIRECTOR ALGER: AUTHORIZE APPROP REDUCTIONS, APPROP TRANSFERS, SUPP APPROP & INTERFUND TRANSFERS TO CONTINUE CITY'S OPERATIONS. - FINANCE COMMITTEE
92. HEALTH BENEFITS ADMIN MCBRIDE: JAN 2010, MONTHLY COMPARATIVE RPT - INS CLAIMS & JAN - DEC 2010 TOTAL PAID CLAIMS ACTIVITY. - RECEIVED & FILED
93. LAW DIRECTOR MARTUCCIO AND SAFETY DIRECTOR REAM: AUTHORIZE LAW DIRECTOR TO PREPARE INFORMAL RESOLUTION OF SUPPORT FOR CONSIDERATION OF THE EMERGENCY DISPATCHING OPERATIONS WITHIN STARK COUNTY BASED ON MEMORANDUM OF UNDERSTANDING. - JUDICIARY COMMITTEE
94. MAYOR WILLIAM HEALY: REQ AUTHORIZE APPT OF DANIEL R COEN TO CITY'S HOUSING ADVISORY BOARD FOR TERM 3/3/10 - 2/28/12. - PERSONNEL COMMITTEE
95. MAYOR WILLIAM HEALY: REQ AUTHORIZE RE-APPT OF BRENDA TURNER TO CITY'S HOUSING ADVISORY BOARD FOR TERM 3/1/10 - 2/28/12 - PERSONNEL COMMITTEE
96. MAYOR WILLIAM HEALY: ADVISE RE-APPT OF JIM GRIFFIN TO CANTON COMMUNITY IMPROVEMENT CORP FOR TERM 1/1/10 - 8/31/10. - RECEIVED & FILED
97. MAYOR WILLIAM HEALY: ADVISE APPT OF TOM WEST TO CANTON COMMUNITY IMPROVEMENT CORP FOR RETRO TERM 1/1/10 - 8/31/10. - RECEIVED & FILED
98. MAYOR WILLIAM HEALY: ADVISE APPT OF JOE COLE AS ALTERNATE TO CANTON COMMUNITY IMPROVEMENT CORP FOR RETRO TERM 1/1/10 - 8/31/10. - RECEIVED & FILED
99. MAYOR WILLIAM HEALY: ADVISE APPT OF DAVE DOUGHERTY AS 2ND ALTERNATE TO CANTON COMMUNITY IMPROVEMENT CORP FOR RETRO TERM 1/1/10 - 8/31/10. - RECEIVED & FILED
100. SAFETY DIRECTOR REAM: REQ LEGISLATION TO AUTHORIZE SAF DIR TO ENTER INTO CONTACT W/SARTA TO LEASE AVAILABLE SUBFLEETS ON CITY'S 800 MHz COMMUNICATION SYSTEM. - FINANCE COMMITTEE
101. SAFETY DIRECTOR REAM: AMEND CLASSIFICATION PLAN FOR MGMT & NON-BARGAINING UNIT EMPLOYEES TO ADD NEW POSITIONS OF QUALITY MGR AND DNA TECHNICAL LEADER TO CRIME LAB, UTILIZING EXISTING PERSONNEL THUS NOT INCREASE TOTAL NUMBER OF AUTHORIZED POSITIONS AT CRIME LAB. - PERSONNEL COMMITTEE
102. SERVICE DIRECTOR PRICE: REQ \$15,000,000.00 SUPP APPROP FR: 5223 207025 UNAPPROP WATER INFRASTRUCTURE CAPITAL IMPROVEMENT FUND TO: 5223 207025 APPROP WATER INFRASTRUCTURE CAPITAL IMPROVEMENT FUND; AUTHORIZE TO APPLY & ACCEPT POTENTIAL GRANT FUNDING THROUGH AMERICAN RECOVERY & REINVESTMENT ACT (ARRA). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

COMMUNICATIONS CONTINUED:

103. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE CONSTRUCTION CONTRACT; AUTHORIZE MAYOR &/OR SERV DIR TO EXECUTE PROF SERV CONTRACT FOR CONSTRUCTION ENGINEERING SERV W/OMNI PRO SERV LLC; AUTHORIZE ARRA FUNDS IN AMT OF \$1,200,000.00 FOR PROJ THROUGH ODOT TO FUND COST OF BOTH CONSTRUCTION & CONSTRUCTION ENGINEERING CONTRACTS; MAKE 1,200,000.00 SUPP APPROP FROM UNAPPROP BAL OF 4549 FULTON RD/PARK DR INTERSECTION IMPROVEMENT FUND, GP 1077 TO: 4549 202033 FULTON RD/PARK DR INTERSECTION IMPROVEMENT ARRA FUND GP 1077; AUTHORIZE RECEIPT OF OHIO PUBLIC WORKS COMM FUNDS IN AMT OF \$549,080.00; MAKE \$549,080.00 SUPP APPROP FR: UNAPPROP BAL OF 4549 FULTON RD/PARK DR INTERSECTION IMPROVEMENT FUND, GP 1077 TO: 4549 202080 FULTON RD/PARK DR INTERSECTION IMPROVEMENT FUND, GP 1077; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
104. SERVICE DIRECTOR PRICE: INFORMING COUNCIL THAT A PLA WILL NOT BE USED IN THE FULTON RD/PARK DR INTERSECTION IMPROVEMENT PROJ, GP 1077 BECAUSE PROJ IS FUNDED WITH ARRA FUNDS DISTRIBUTED THROUGH FHWA TO ODOT. - RECEIVED & FILED
105. SERVICE DIRECTOR PRICE: REQ LEGISLATION TO FORM A JOINT COMMITTEE W/CITY OF ALLIANCE TO STUDY POSSIBILITY OF WATER SERV AGMT BETWEEN THE TWO CITIES. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
106. TREASURER SCHIRACK: RPT OF DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCT FOR JAN 2010. - RECEIVED & FILED
107. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR JAN 2010. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. VACATE A PORTION OF MENTZER PL NE; EMERGENCY (YWCA) **PUB HRG 3/8/10 @ 7:30 PM**
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 2. AMEND ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (1639 MAPLE AVE NE) **PUB HRG 3/8/10 @ 7:31 PM**
Referred to Judiciary Committee
- 1ST RDG 3. AMEND ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE EMERGENCY (1658 SUPERIOR AVE NE) **PUB HRG 3/8/10 @ 7:32 PM**
Referred to Judiciary Committee
- 1ST RDG 4. AUTHORIZE SAF DIR TO ACCEPT A GRANT FROM OHIO DEPT OF PUBLIC SAFETY IN AMT NOT TO EXCEED \$4,500.00; AMEND APPROP O#1/2010; EMERGENCY (FIRE DEPT)
Referred to Finance Committee
- 1ST RDG 5. AUTHORIZE SERV DIR TO ACCEPT GRANT FROM OHIO DEPT OF NATURAL RESOURCES IN AMT NOT TO EXCEED \$495,000.00 FOR CONSTRUCTION OF INDOOR WATER PARK AT EDWARD "PEEL" COLEMAN CTR & ENTER INTO PASS THROUGH AGMT W/ODNR IN AMT NOT TO EXCEED \$495,000.00 FOR CONSTRUCTION OF A WATER PARK FACILITY AT THE EDWARD "PEEL" COLEMAN CENTER; AUTHORIZE AUDITOR TO ESTABLISH THE 2237 WATER PARK FACILITY GRANT FUND; EMERGENCY
Referred to Finance Committee
- 1ST RDG 6. AMEND APPROP O#1/2010, AS AMENDED, MAKING \$53,091.00 SUPP APPROP FR: UNAPPROP BAL OF 2763 LAW ENFORCEMENT TRUST FUND TO: 2763 102001 POLICE - OTHER; EMERGENCY
Referred to Finance Committee
- 1ST RDG 7. AMEND SECTION 133.051, CHARGES FOR PUBLIC SAFETY SERV AT SCENES OF MOTOR VEHICLE ACCIDENTS & SECTION 705.07, PROHIBITIONS & PENALTIES FOR FALSE ALARMS; APPEALS, OF CODIFIED ORDINANCES FOR CITY OF CANTON
Referred to Judiciary Committee
- 1ST RDG 8. AUTHORIZE SAF DIR TO ENTER INTO AGMT W/CREDIT BUREAU OF STARK CNTY FOR COLLECTION SERV REGARDING AMBULANCE BILLING COLLECTIONS & NON-FIRE RELATED FIRE DEPT SERV FOR MOTOR VEHICLE ACCIDENTS; EMERGENCY
Referred to Finance Committee
- 1ST RDG 9. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/STANDARD INSURANCE CO FOR GROUP TERM LIFE & AD & D INS COVERAGE FOR ELIGIBLE CITY EMPLOYEES; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 10. AUTHORIZE SERV DIR TO ENTER INTO AMENDMENT #1 TO THE COOPERATION AGMT W/J.R. COLEMAN COMMUNITY RENOVATION CORP FOR MAHONING RD CORRIDOR ECONOMIC DEVELOPMENT PROJ; AMEND APPROP O#1/2010; EMERGENCY (\$440,000.00)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 11. AMEND SECTION 551.01, DEFINITIONS, AND SECTION 551.03, NOTICE TO REMOVE; ACTION UPON NONCOMPLIANCE; PROCEDURE FOR COLLECTING EXPENSES; APPEALS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
Referred to Judiciary Committee
- 1ST RDG 12. AMEND SECTION 917.04, NOTICE TO TRIM; CITY MAY TRIM; UNPAID COSTS A LIEN, OF CODIFIED ORDINANCES OF CITY OF CANTON
Referred to Judiciary Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#13 - O#18)**

- 2ND RDG 13. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING \$556,340.11 APPROP REDUCTION FROM: 2220 506009 HOMELESS PREV & RAPID REHOUSING FUND - OTHER TO: UNAPPROP BAL OF 2220 506009; EMERGENCY (C&ED & FIN)
- 2ND RDG 14. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING \$111,227.11 APPROP TRANSFER (NEIGHBORHOOD STABILIZATION FUND) AND VARIOUS SUPP APPROPS (FED PROJ FUND & YOUTH DEV DONATION FUND); EMERGENCY (C&ED & FIN)
- 2ND RDG 15. AUTHORIZE MAYOR &/OR SERV DIR TO COMPLETE CONTRACTING PROCESS FOR CONTRACTS PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY 1/1/10; EMERGENCY (C&ED & FIN)
- 2ND RDG 16. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$5,000.00 TO SMITH ADVISORY GROUP; EMERGENCY (FIN)
- 2ND RDG 17. AUTHORIZE SERV DIR TO ACCEPT & EXECUTE GRANTS FROM STARK TUSC-WAYNE JOINT SOLID WASTE MGMT DISTRICT; EMERGENCY (2010 RECYCLING MAKES SENSE & 2010 COMPOSITE PGM) (FIN)
- 2ND RDG 18. AUTHORIZE SERV DIR TO DONATE USED CELL PHONES & BLACKBERRIES TO NON-PROFIT DOMESTIC VIOLENCE SHELTER (FIN)

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

- 22/2010 19. AUTHORIZE THE MAYOR AND/OR SERV DIR TO PURCHASE REAL PROP IN CONJUNCTION W/NEIGHBORHOOD STABILIZATION PROG; AUTHORIZING THE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR THE DEMOLITION OF THE BLDG LOCATED ON THE PROP; EMERGENCY(902 CHERRY AVE NE)
- 23/2010 20. AUTHORIZE THE MAYOR OR SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR THE LEASE OF TWO ROOMS AT THE EDWARD L "PEEL" COLEMAN COMMUNITY CENTER; EMERGENCY
- 24/2010 21. NAMING AN UNNAMED ALLEY IN THE CITY OF CANTON, LINDESMITH CT SW
- 25/2010 22. AUTHORIZE LAW DIRECTOR TO ENTER INTO CONTRACT W/BELOW-NAMED CITIES & VILLAGES TO PROVIDE LEGAL REPRESENTATION CONCERNING THE PROSECUTION OF CRIMINAL CASES & RELATED MATTERS BY CITY PROSECUTOR'S OFFICE; EMERGENCY
- 26/2010 23. AMEND VARIOUS SECTIONS IN PART THREE - TRAFFIC CODE & PART FIVE - GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES; EMERGENCY
- 27/2010 24. APPROVE & ACCEPT THE REPLAT OF LOTS 1669 AND 1670; PART OF A 15.25 FT VACATED ALLEY & PART OF LOT 1671; EMERGENCY (BTWN 6TH ST NE & SANDALS NE - HABITAT FOR HUMANITY)

POSTPONED UNTIL

- 3/1/2010 25. AMEND TITLE SEVEN, HOUSING STANDARDS, OF PART THIRTEEN - BUILDING CODE OF THE CODIFIED ORDINANCES (IPMC)
- 28/2010 26. AUTHORIZE SERV DIR TO EXECUTE W/CAMPBELL OIL COMPANY A STORM SEWER EASEMENT & VACATION AGREEMENT; EMERGENCY
- 29/2010 27. AUTHORIZE & CONSENT TO REPLACEMENT OF CITY OF CANTON'S WATER MAIN ON SR 172 STRUCTURE OVER WHEELING & LAKE ERIE RR AS PART OF PROJ STA 172-17.28; EMERGENCY
- 30/2010 28. RATIFYING & EXTENDING THE TERMS & CONDITIONS OF ORIGINAL AGMT W/SMG ON A MONTH-TO-MONTH BASIS RETROACTIVE TO 1/1/10; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**TUESDAY, FEBRUARY 23, 2010 in Council Chamber 6:00 P.M.**

Environmental and Public Utilities Committee regarding Public Access Channel 15

MONDAY, MARCH 1, 2010 in Council Chamber 5:30 P.M.

Sewer Rate Presentation with the Water Reclamation Superintendent, Tracy Mills

MONDAY, MARCH 1, 2010 in Council Chamber 6:00 P.M.

- 1) Finance Committee
- 2) Personnel Committee
- 3) Judiciary Committee
- 4) Public Property Capital Improvement Committee
- 5) Public Safety and Thoroughfares Committee

MISCELLANEOUS BUSINESS: Member West questioned the Service Director regarding the water rate increases for the units of four or more that were recently imposed. He also wanted to commend Christine Peterson and the Gibbs Area Involved Neighborhood Association for coming up with some of their own ideas to fight crime in their area and invited all to their next meeting. Director Price has another meeting with the Water Superintendent this week to discuss the water rates that Member West is in question of. Safety Director Ream informing all that another senior firefighter has decided to take the buyout offered and the last three firefighters that were on layoff will be returning to work next week. Mayor Healy discussing the drop in crime rates and the effects of the drop in population as well. Crime is down about 30% in the last two years but the population has not dropped that amount. He will be hosting a Town Hall meeting on Wednesday, February 24th at 6:30 at the Canton Patrolman's Union Hall located at 430 Walnut Ave to answer questions regarding crime. Member Butterworth announcing a public meeting to be held Wednesday, 2/24/10 here in the Chamber regarding an electronic billboard installation at 38th and Guilford Ave NW. Majority Leader Dougherty thanking the Police for all the hard work with the drop in crime but mentioning that over the weekend in Ward 5 Security and employees of Aultman Hospital assisted Police in the arrest of 2 individuals who were breaking into vehicles.

ADJOURNMENT: 8:36 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 1, 2010 @ 7:30 PM