

ROLL CALL: Eleven Council Members Present

MOTION TO EXCUSE MEMBERS: At-Large Member Joe Cole Absent

INVOCATION: Chris Smith, Ward 4 Council Member

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#3; 2nd Rdg O#7-O#10 and O#13-O#16; O#11 Withdrawn; O#12 Retained in Committee; O#3 Adopted on 1st Rdg; O#18 & O#23 Defeated; O#25 Adopted as Amended)

PUBLIC HEARINGS:

- 7:30 P.M. AN ORDINANCE VACATING A PORTION OF MENTZER PLACE NE; AND DECLARING THE SAME TO BE AN EMERGENCY; PLANNING COMMISSION RECOMMENDED APPROVAL OF THE VACATION FOR DEVELOPMENT OF THE YWCA IN WARD 2 **O#39/2010**
- 7:31 P.M. AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY; PLANNING COMMISSION RECOMMENDED DENIAL TO REZONE FROM R-1a (SINGLE FAMILY RESIDENTIAL) TO PB-3 (PLANNED GENERAL BUSINESS), IN WARD 9 (1639 MAPLE AVE NE) **DEFEATED**
(6 Speakers, Theresa Joy, Margaret Shurie, Amy Steinar, Dan Schmidt, William Smith, Maria Willis-Gordan)
- 7:32 P.M. AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY; PLANNING COMMISSION RECOMMENDED APPROVAL TO REZONE FROM R-1a (SINGLE FAMILY RESIDENTIAL) TO PR-2 (PLANNED TWO FAMILY RESIDENTIAL), IN WARD 6 (1658 SUPERIOR AVE NE, FAMILY CHRISTIAN CTR) **O#40/2010**

PUBLIC SPEAKS (CITY BUSINESS): Rafael Cox was going to complain about the conditions of Sherrick Road but spoke to the Mayor before the meeting and now wants to commend the Administration for getting these bids completed and knowing that the construction will begin in April. Richard Deitrick thinks he has a nice suggestion for all of the rude, nasty, foul-mouthed children in the city. He does encounter some nice children but most are not pleasant. He thinks some type of military type facility should be created in our vacant buildings to help make Christians out of these kids and people from other states can send their children here and Canton can make money off of this.

INFORMAL RESOLUTIONS: (None)

COMMUNICATIONS:

116. AUDITOR MALLONN: MONTHLY RPT BY FUND FOR 2/1/10 - 2/26/10. - RECEIVED & FILED
117. AUDITOR MALLONN: YEARLY RPT BY FUND FOR 1/1/10 - 2/26/10. - RECEIVED & FILED
118. DEPUTY DIRECTOR WEST: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A FUNDING AGMT W/QUALITY CARE CONSTRUCTION, INC. IN AMT NOT TO EXCEED \$350,000.00 TO ACQUIRE, REHAB & RESALE PROPERTIES UNDER NSP PROG TO LOW & MODERATE INCOME FAMILIES THRU 12/21/12. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
119. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR TO SUBMIT AMENDED ACTION PLAN TO HUD FOR NEIGHBORHOOD STABILIZATION PROG (NSP) AS HUD'S REQUIREMENT. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
120. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT OF \$1,105.00 TO AMERICAN TITLE ASSOCIATES AGENCY, INC. FOR TITLE SEARCHES ON CODE DEMOLITIONS PERFORMED IN 2010. - FINANCE & COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
121. LIQUOR CONTROL DIVISION (OHIO): APPEAL HRG FOR MARK & FRANCES MILLS DBA FRIENDLY KORNER TAVERN @ 1503 HARRISON AVE ON 3/25/10 AT 11:30 AM AT VERN RIFFE CTR @ 77 S HIGH ST 19TH FL, COLUMBUS, OH 43215. - RECEIVED & FILED
122. MAYOR WILLIAM HEALY: INFORMING COUNCIL THAT SERV DIR WARREN PRICE HAS BEEN APPOINTED AS CHIEF OF STAFF. - RECEIVED & FILED
123. MAYOR WILLIAM HEALY: REQ WITHDRAW NOMINATION OF MR. MICHAEL RUKAVINA TO CANTON CONSTRUCTION BRD. - RECEIVED & FILED
124. MAYOR WILLIAM HEALY: AUTHORIZE APPT OF DON SINGER TO INCOME TAX REVIEW BRD FOR TERM OF 3/1/10 - 2/28/14. - PERSONNEL COMMITTEE
125. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 2/26/10. - RECEIVED & FILED
126. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR FEB 2010. - RECEIVED & FILED
127. TREASURER SCHIRACK: RPT OF DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCT FOR FEB 2010. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONSTRUCTION CONTRACT FOR FULTON/PARK DR INTERSECTION IMPROVEMENT PROJ, GP 1077; EXECUTE A PROF SERV CONTRACT FOR CONSTRUCTION ENGINEERING SERV W/OMNI PRO LLC; REC ARRA FUNDS IN AMT OF \$1,200,000.00 FOR PROJ THROUGH ODOT; RCV OPWC FUNDS IN THE AMT OF \$549,080.00 FOR PROJ TO FUND COST OF BOTH CONSTRUCTIONS & CONSTRUCTION ENGINEERING CONTRACTS; AMEND APPROP O#1/2010; EMERGENCY
Referred to Finance Committee
- 1ST RDG 2. AMEND EXHIBIT A TO O#164/2001, AS AMENDED, CLASSIFICATION PLAN & SALARIES FOR ALL MGMT & NON-BARG UNIT EMP OF CITY OF CANTON; EMERGENCY (COMM DEV & PLANNING)
Referred to Personnel and Finance Committees
- (COUNCIL RECESSED @ 7:57 P.M. FOR FINANCE COMMITTEE TO DISCUSS THE ADOPTION OF O#3; RECONVENED @ 7:58 P.M.)**
- 38/2010 3. AUTHORIZE SAF DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR THE PURCHASE OF 124 PAIRS OF BOOTS FOR FIRE DEPT & ENTER INTO CONTRACT W/WARREN FIRE EQUIP, INC FOR PURCHASE OF TURNOUT GEAR PURSUANT TO O.R.C. SECTION 125.04; EMERGENCY
Referred to Finance Committee
- 1ST RDG 4. AMEND EXHIBIT A TO O#164/2001, AS AMENDED, CLASSIFICATION PLAN & SALARIES FOR ALL MGMT & NON-BARG UNIT EMP OF CITY OF CANTON; EMERGENCY (SANITATION & ENVIRONMENTAL CONTROL)
Referred to Personnel Committee
- 1ST RDG 5. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/NORTHEAST OHIO LABOR MGMT COUNCIL IN AMT NOT TO EXCEED \$10,000.00 TO PROVIDE LABOR MGMT CONSULTATION SERV; AMEND APPROP O#1/2010; EMERGENCY
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZE SERV DIR TO ENTER INTO A TWO-YR PROF SERV CONTRACT W/KIKO AUCTIONEERS, INC TO CONDUCT AUCTIONS AT CANTON SERVICE CTR FOR SALE OF JUNK & SCRAP ITEMS & IMPOUNDED VEHICLES; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#7 - O#10, O#13 - O#16; O#11 WITHDRAWN; O#12 RETAINED IN CMTE)**

- 2ND RDG 7. AUTHORIZE SAF DIR TO ACCEPT AN AID TO FIREFIGHTERS GRANT IN AMT NOT TO EXCEED \$200,300.00; AMEND APPROP O#1/2010; EMERGENCY (FIN)
- 2ND RDG 8. AUTHORIZE SERV DIR TO ACCEPT DONATIONS TO FUND PORTIONS OF CANTON CONNECTION FOR FISCAL YR 2010; AMEND APPROP O#1/2010, AS AMENDED, BY MAKING \$7,500.00 SUPP APPROP FROM 1001 GENERAL FUND TO 1001 200501 GENERAL GOVT SUPPORT ADMIN - OTHER; EMERGENCY (FIN)
- 2ND RDG 9. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO JOB CREATION TAX INCENTIVE AGMT W/AMERIDIAL, INC; EMERGENCY (C&ED)
- 2ND RDG 10. AMEND O#17/89, AS AMENDED, AUTHORIZE MAYOR TO ENTER INTO AMENDED CONTRACT W/CCIC TO ADMINISTER ADDT'L CDBG FUNDS IN AMT NOT TO EXCEED \$500,000.00; EMERGENCY (C&ED & FIN)
- WITHDRAWN** 11. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING \$152,265.00 SUPP APPROP FROM UNAPPROP BAL OF 2211 506001 COMM DEV FUND TO 2211 506001 COMM DEV - OTHER; EMERGENCY (C&ED & FIN)

RETAINED

- IN CMTE** 12. ESTABLISH FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROP; AUTHORIZE SALE & CONVEYANCE OF SAID PROP PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (PARCEL #02-22031 ON LAWRENCE RD NE TO RICHARD T. MALLET) (C&ED)
- 2ND RDG 13. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING VARIOUS APPROP REDUCTIONS, SUPP APPROP & INTERFUND TRANSFERS; EMERGENCY (FIN)
- 2ND RDG 14. AUTHORIZE LEASING OF AVAILABLE SUBFLEETS ON CITY'S 800 MEGAHERTZ COMMUNICATION SYSTEM; EMERGENCY (FIN)
- 2ND RDG 15. AMEND EXHIBIT A TO O#164/2001, AS AMENDED, THE CLASSIFICATION PLAN & SALARIES FOR ALL MGMT & NON-BARG UNIT EMPLOYEES OF CITY; EMERGENCY (CRIME LAB - POLICE DEPT) (PER)
- 2ND RDG 16. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING \$15,000,000.00 SUPP APPROP FROM UNAPPROP BAL OF 5223 207025 WATER INFRASTRUCTURE CAP IMPROVEMENT FUND TO 5223 207025 WATER INFRASTRUCTURE CAPITAL IMPROVEMENT - OTHER; AUTHORIZE SERV DIR TO APPLY FOR & ACCEPT POTENTIAL GRANT FUNDING THRU THE AMERICAN RECOVERY & REINVESTMENT ACT FOR THE NORTHEAST WATER TREATMENT PLAN IMPROVEMENTS; EMERGENCY (PPCI)

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

- 39/2010** 17. VACATE A PORTION OF MENTZER PL NE; EMERGENCY (YWCA) **PUB HRG 3/8/10 @ 7:30 PM**
- DEFEATED** 18. 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**
- 40/2010** 19. 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**
- 41/2010** 20. 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)
- 42/2010** 21. 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
- 43/2010** 22. 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
- DEFEATED** 23. 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
- 44/2010** 24. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/STANDARD INSURANCE CO FOR GROUP TERM LIFE & AD & D INS COVERAGE FOR ELIGIBLE CITY EMPLOYEES; EMERGENCY
- AS AMENDED**
- 45/2010** 25. 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
- 46/2010** 26. AMEND SECTION 917.04, NOTICE TO TRIM; CITY MAY TRIM; UNPAID COSTS A LIEN, OF CODIFIED ORDINANCES OF CITY OF CANTON

ANNOUNCEMENT OF COMMITTEE MEETINGS:**WEDNESDAY, MARCH 10, 2010 in Council Chamber 5:15 P.M.**

1) Finance Committee - 2010 Budget Work Session

MONDAY, MARCH 15, 2010 in Council Chamber 5:30 P.M.Tracy Mills, Water Reclamation Superintendent
Sewer Rate Presentation**MONDAY, MARCH 15, 2010 in Council Chamber 6:00 P.M.**1) Personnel Committee
2) Finance Committee
3) Community & Economic Development Committee

MISCELLANEOUS BUSINESS: Member Smith discussing the Water Park facility for the Edward "Peel" Coleman Center that is currently Retained in Committee. This type of project has been on hold for several years in that Ward. Member Smith wants to commend Corey Minor-Smith for all of her efforts in gathering the necessary figures for the Finance Committee to review on this matter. She feels that many items have been removed from the 4th Ward over the years and that this facility is greatly needed for the future of the children in that area. Member Smith felt that the public should be informed if the Council Members do or do not support this Water Park and should be informed if the monies would need returned to the State if the park is not created. She asked Member Price if the bond fund was used to repay utilities as requested if this would mean that the park would never exist and asked Law Director Martuccio to explain what would be necessary to bring this back out of Committee. Member Hawk stated that the Ordinance is held from the lack of signatures to move forward. Law Director Martuccio verified in Council Rules that a quorum of at least three signatures from Finance Committee Members would be needed to bring this Ordinance back to the agenda for a vote. Member West mentioned that he is very concerned that if this grant from the State of Ohio is not used for this facility, that it will have to be returned to the State. He feels that this topic should be discussed in full detail to hear exactly what the terms of the grant are and what finances would be needed to operate a facility of this nature. Member West said that this is something that could greatly help the children of this Ward with summer coming. He is concerned that some decisions are being made because of dollars and not hearing all of the details as this could be a positive investment for the future and possibly partner with the Y or another agency to make this facility work. Service Director Price telling all Council that the Rec Bond Fund and the State of Ohio grant monies are two separate amounts and that is was never discussed to use this grant as a part of the budget. There was a suggestion that part of the rec bond could be used toward the bail out of the General Fund and the payback of some utilities that have come due. He also states that the Water Park would need to remain open for 15 years to meet guidelines of the grant. Member Cirelli informing President Schulman that Member Cole contacted all Members regarding his absence from the meeting tonight. Member Dougherty explaining to all that the \$495,000.00 from the grant is state money and the recreation bond fund is city money. Member Butterworth asking if what are the repercussions on the State grant if this facility is not opened and remains open. President Schulman feels and appreciates the passion of all Members of Council and has respect for all of the opinions but wonders if this is the appropriate time with the economy for this type of venture. He feels the creative political processes might need to come together to make this all work.

ADJOURNMENT: 8:35 P.M.**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 15, 2010 @ 7:30 PM**