

**ROLL CALL:** Twelve Members Present

**MOTION TO EXCUSE MEMBERS:** Not necessary

**INVOCATION:** David Dougherty, Majority Leader

**PLEDGE OF ALLEGIANCE:** Led by President Allen Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add Communication #299; 1<sup>st</sup> Rdg O#14; 2<sup>nd</sup> Rdg O#17 - O#20; O#14 Adopted on 1<sup>st</sup> Rdg; O#18 Adopted on 2<sup>nd</sup> Rdg)

**PUBLIC HEARINGS:** (None)

**PUBLIC SPEAKS (CITY BUSINESS):** Brenda Baylor lives in Georgeview Estates by a wooded area that has many people entering into to shoot guns and bow and arrows, people riding dirt bikes and other things. When she calls the police they tell her that is not Canton and she should be contacting the sheriff's office because it is township property. This allotment pays taxes and she feels it is an attribute to the city. Since this area is indeed Canton, she would like officers sent to the area to become familiar, have signs posted stating it is Canton and also have a notice put in the newspaper that this wooded area belongs to the city. Bill Sherer thanked all of the local officials for attending the "Jobs for Justice" rally that was held on 7/1/10 at Medline. Their presence allowed the trades people to see that the officials are still standing for local people having local jobs. Helping to keep the money within the community could help to resolve some of the budget issues in our city. C. David Morgan has asked that Council place the charter government question on the ballot for the citizens to decide if they would like that type of government for Canton. He speaks for the people who want freedom and fought for the Constitution and the right to vote. The people are Democrats, Republicans, Independents and others that do not speak with one voice but one spirit of democracy. Please be for the people and let the people vote and decide.

**INFORMAL RESOLUTIONS:**

41. COUNCIL-AS-A-WHOLE: COMMENDING ALL INVOLVED IN THE ULSTER PROJECT. - ADOPTED

42. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT FOR KENNETH SANDER TO SERVE ON BOARD OF BUILDING APPEALS. - ADOPTED

**COMMUNICATIONS:**

273. AUDITOR MALLONN: CERTIFICATE OF TOTAL AMT FROM ALL SOURCES FOR 2010. - RECEIVED & FILED

274. AUDITOR MALLONN: MONTHLY RPT BY FUND FOR 6/1/10 - 6/30/10. - RECEIVED & FILED

275. AUDITOR MALLONN: YEARLY RPT BY FUND FOR 1/1/10 - 6/30/10. - RECEIVED & FILED

276. CIRELLI, M., CNCL-AT-LRG: REQ PREVAILING WAGE RPT RESULTS FOR MEDLINE PROJ. - RECEIVED & FILED

277. COMMUNITY DEV DIRECTOR WILLIAMS: REQ SUPP APPROP FROM UNAPPROP 2212 506001 NSP PROG TO 2212 506001 NSP PROG (\$446,457.75). - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES

278. COURT ADMIN KOCHERA: REQ SUPP APPROP FROM 2423 COURT CAPITAL/SPECIAL PROJECT FUND \$14,558.00 AND 2768 PRISONER HOUSING FUND \$28,364.00 FOR CONTINUED PROPER OPERATION OF THE COURT. - FINANCE COMMITTEE

279. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/CANTON NEGRO OLDTIMERS TO PROVIDE CDBG GRANT NOT TO EXCEED \$19,910.00 TO REHAB PROP @ 1016 12<sup>TH</sup> ST NE. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES

280. FINANCE DIRECTOR ALGER: REQ AUTHORIZATION FOR APPROP REDUCTIONS, SUPP APPROPS, APPROP TRANSFERS & INTERFUND TRANSFERS FOR CITY'S CONTINUING OPERATIONS. - FINANCE COMMITTEE

281. HEALTH COMMISSIONER ADAMS: REQ APPROP OF FUNDS FOR 2313 PREVENTIVE HEALTH FOR \$15,000.00 FOR NEW FUNDS RCVD FROM SISTERS OF CHARITY FOUNDATION. - FINANCE COMMITTEE

282. HEALTH COMMISSIONER ADAMS: REQ APPROP TRANSFERS FROM 2326 OTHER HEALTHY START TO 2326 PERSONNEL HEALTHY START FOR \$46,500.00. - FINANCE COMMITTEE

283. LAW DIRECTOR MARTUCCIO: REQ LEGISLATION APPRIVING COOPERATIVE ECONOMIC DEVELOPMENT AGMT W/JACKSON TWNSHP FOR RM INVESTMENT/METRO RTA ANNEXATION AREA. - ANNEXATION COMMITTEE **ORDINANCE #15**

284. LAW DIRECTOR MARTUCCIO: AUTHORIZE LAW DIRECTOR TO PREPARE ORDINANCE TO ACCEPT RM INVESTMENT/METRO RTA ANNEXATION. - ANNEXATION COMMITTEE **ORDINANCE #16**

**COMMUNICATIONS CONTINUED:**

285. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF D2 D2X D3 D3A LICENSE FROM MALLONNS INC DBA MALLONNS FINE FOOD & SPIRITS @ 2412 W TUSC ST 1<sup>ST</sup> FL & BSMT TO THREE DOORS LTD DBA THE CLOSET DOOR @ 520 4<sup>TH</sup> ST NE. - RECEIVED & FILED
286. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF C1 C2 LICENSE FROM BATTERSHELL ENTERPRISES LLC DBA BP GASOLINE 447 @ 2211 W TUSC TO BURKEY LLC DBA BP 447 @ 2211 W TUSC. - RECEIVED & FILED
287. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D1 D3 LICENSE FROM CHIPOTLE MEXICAN GRILL OF COLORADO @ 4332 TUSCARAWAS ST W. - RECEIVED & FILED
288. SERVICE DIRECTOR PRICE: REQ APPRVL OF CREATION OF THURMAN MUNSON MEMORIAL STADIUM DONATION FUND. - FINANCE COMMITTEE
289. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ENTER INTO ONE YR SUPPORT CONTRACT W/THE JAMES GROUP IN AMT OF \$37,747.35 FOR SUPPORT & MAINT OF CITY'S ORACLE SOFTWARE LICENSES. - FINANCE COMMITTEE
290. SERVICE DIRECTOR PRICE: REQ APPRVL AWARDED DEMOLITION BIDS AUTHORIZED BY O#87/2010 & AMEND O#87/2010 TO INCLUDE "ENTER INTO CONTRACT" FOR REMAINING PROPERTIES. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
291. SERVICE DIRECTOR PRICE: NOTICE THAT CITY HAS AUTHORIZED STARK STATE COLLEGE TO RENOVATE LEASED SPACE AT EDWARD "PEEL" COLEMAN CENTER PER O#23/2010. - RECEIVED & FILED
292. SERVICE DIRECTOR PRICE: REQ LAW DIRECTOR TO PREPARE LEGISLATION TO ALTER PENALTY PROVISION OF CHAP 1313 OF CANTON CODIFIED ORDINANCES TO IMPLEMENT CIVIL PENALTIES IN LIEU OF CRIMINAL PENALTIES. - JUDICIARY COMMITTEE
293. SERVICE DIRECTOR PRICE: AMEND CLASSIFICATION PLAN & SALARIES FOR MGMT & NON-BARGAINING UNIT EMPLOYEES FOR PUBLIC UTILITIES ADVANCEMENT (ENGINEERING, WATER POLLUTION CONTROL CTR & WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY TREATMENT DIVISION). - PERSONNEL AND FINANCE COMMITTEES
294. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 5/31/10. - RECEIVED & FILED
295. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 6/30/10. - RECEIVED & FILED
296. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR JUNE 2010. - RECEIVED & FILED
297. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS FOR JUNE 2010 TO AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED
298. TREASURER SCHIRACK: RPT OF JUNE 2010 BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS. - RECEIVED & FILED
299. SERVICE DIRECTOR PRICE: DECLARE 78 BLDGS UNSAFE AND HAZARDOUS FOR WHICH DEMOLITION IS REQUIRED. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

- 1<sup>ST</sup> RDG 1. ESTABLISH FAIR REUSE VALUE OF ONE PARCEL CITY-OWNED PROP; AUTHORIZE THE SALE & CONVEYANCE OF SAID PROP PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY(PARCEL #02-04459, LESA BENNETT ON LOUISIANA AVE NW)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/ECIVIS, INC. IN AMT NOT TO EXCEED \$19,132.00 FOR THE PURCHASE OF A MASTER LICENSE & SERV AGMT TO ESTABLISH A GRANTS RESEARCH & MGMT SOLUTIONS SVC FOR LOCAL NON-PROFITS ORGANIZATIONS; EMERGENCY  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 3. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING THE SUPP APPROP DESCRIBED; EMERGENCY(SUMMER YOUTH TANF GRANT FUND AND YOUTH DEVELOPMENT SUMMER EMPLOYMENT)  
Referred to Community & Economic Development Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:**

- 1<sup>ST</sup> RDG 4. ESTABLISH FAIR REUSE VALUE OF ONE PARCEL CITY-OWNED PROP; AUTHORIZE THE SALE & CONVEYANCE OF SAID PROP PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (PARCEL #02-40455, CHRISTINA LONG ON 5<sup>TH</sup> ST NW)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 5. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/STARK COUNTY BOARD OF COMMISSIONERS FOR STREET VIEW IMAGERY SERV; EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- 1<sup>ST</sup> RDG 6. AUTHORIZE MAYOR TO ENTER INTO ENTERPRISE ZONE AGREEMENT W/OLD DOMINION FREIGHT LINE, INC. TO PROVIDE A REAL PROP TAX EXEMPTION; AUTHORIZE AUDITOR TO MAKE PYMTS TO CANTON LOCAL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82 (C) AND (D) OF REVISED CODE; EMERGENCY  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 7. AMEND ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (3145 W TUSC, ORSO ENTERPRISES) **PUB HRG 8/9/10 @ 7:31 P.M.**  
Referred to Judiciary Committee
- 1<sup>ST</sup> RDG 8. AMENDING ORDINANCE NO. 102/2010; EMERGENCY  
Referred to Judiciary Committee
- 1<sup>ST</sup> RDG 9. AUTHORIZE SAFE DIR TO ACCEPT A GRANT FROM THE 2010 LOCAL SOLICITATION BYRNE GRANT IN AMT NOT TO EXCEED \$64,946.00 FOR POLICE DEPT & ENTER INTO MEMORANDUM OF UNDERSTANDING W/STARK COUNTY COMMISSIONERS REGARDING DISTRIBUTION OF GRANT FUNDS; AUTHORIZE AUDITOR TO ESTABLISH THE 2785 2010 LOCAL SOLICITATION BYRNE GRANT FUND; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 10. AUTHORIZE SERV DIR TO APPLY FOR, ENTER INTO AGMT & ACCEPT FUNDS FOR 2011 PROG YR FROM OHIO PUBLIC WORKS COMMISSION; EMERGENCY  
Referred to Finance and Public Property Capital Improvement Committees
- 1<sup>ST</sup> RDG 11. AUTHORIZE SERV DIR TO ENTER INTO SUPP AGMTS W/STARK COUNTY & CITY OF NORTH CANTON FOR WATER RECLAMATION FACILITY PHOSPHORUS/TOTAL NITROGEN PROJ; ENTER INTO CONTRACT W/CT CONSULTANTS, INC. IN AMT NOT TO EXCEED \$4,216,000.00 FOR VARIOUS ENGINEERING & CONSTRUCTION OVERSIGHT SERV; TO FILE APPLICATION & ENTER INTO CONTRACT W/OEPA FOR LOW-INTEREST DESIGN LOAN IN AMT NOT TO EXCEED \$2,802,000.00; AUTHORIZE AUDITOR TO ESTABLISH 5442 WRF PHOSPHORUS/TOTAL NITROGEN PROJ FUND; AMEND APPROP O#1/2010; EMERGENCY  
Referred to Finance and Public Property Capital Improvement Committees
- 1<sup>ST</sup> RDG 12. ORDINANCE AUTHORIZING MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONSTRUCTION CONTRACT FOR THE GUILFORD BRIDGE REPLACEMENT PROJ, G.P. 1075; REC OHIO PUBLIC WORKS COMM (OPWC) FUNDS IN AMT OF \$386,380.00 FOR THIS PROJ; AUTHORIZE AUDITOR TO ESTABLISH 4562 GUILFORD BRIDGE REPLACEMENT PROJ FUND; AMEND APPROP O#1/2010; EMERGENCY  
Referred to Finance and Public Property Capital Improvement Committees
- 1<sup>ST</sup> RDG 13. AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONSTRUCTION CONTRACT FOR THE WAYNESBURG RD SE SANITARY SEWER REHABILITATION PROJ, G.P. 1137; AMEND APPROP O#1/2010; EMERGENCY  
Referred to Finance Committee
- 126/2010 14. ORDINANCE AMEND APPROP O#1/2010 FROM 4501 CAPITAL IMPROVEMENT FUND TO 4501 401001 PARK ADMINISTRATION - OTHER FOR \$30,000.00; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 15. AUTHORIZE MAYOR TO ENTER INTO A COOPERATIVE ECONOMIC DEVELOPMENT AGMT W/JACKSON TOWNSHIP ON PROP LOCATED IN THE RM INVESTMENTS/METRO RTA ANNEXATION AREA; EMERGENCY  
Referred to Annexation Committee
- 1<sup>ST</sup> RDG 16. AUTHORIZE CANTON TO ANNEX THE TERRITORY KNOWN AS RM INVESTMENTS/METRO RTA ANNEXATION AREA CONTAINING APPROX 22.377 ACRES; ASSIGNED SAID TERRITORY TO WARD 8 OF THE CITY; ZONING SAID TERRITORY AS OS (OPEN SPACE) AND B-4 (SPECIAL BUSINESS); EMERGENCY  
**PUB HRG 8/9/10 @ 7:30 P.M.**  
Referred to Annexation Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#17 - O#20; ADOPTED O#18)**

- 2<sup>ND</sup> RDG 17. RES APPROVING STATEMENT OF SVCS TO BE PROVIDED TO THE PROP OWNER IN THE ARMY NAVY ANNEXATION AREA, APPROXIMATE DATE SVCS WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO CITY; EMERGENCY (ANNEX)
- 127/2010 18. PROVIDING FOR THE ISSUANCE OF A NOTE BY THE CITY IN ANTICIPATION OF THE COLLECTION & PAYMENT OF CITY INCOME TAXES, GENERAL PROP TAXES & MISC OTHER SOURCES TO CITY; DECLARING THE NECESSITY OF THE ISSUANCE OF SAID NOTE; EMERGENCY (FIN)

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:**

2<sup>ND</sup> RDG 19. AUTHORIZED MAYOR TO ENTER INTO AGREEMENTS WITH SMHA TO PROVIDE SERVICES OF A SECTION 504 COORDINATOR & CONDUCT NEEDS ASSESSMENTS FOR SMHA TENANTS WITHIN THE CITY; EMERGENCY (FIN)

2<sup>ND</sup> RDG 20. APPROVING CANCELLATION OF INDEBTEDNESS OWNED BY NECC IN PRINCIPAL AMOUNT OF \$25,000.00; EMERGENCY (FIN)

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE:** (None)**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, JULY 19, 2010 in Council Chamber at 5:00 P.M.**

- 1) Finance Committee - Budget Review of 1<sup>st</sup> half 2010

**MONDAY, JULY 26, 2010 in Council Chamber at 5:30 P.M.**

- 1) Public Property Capital Improvement Committee
- 2) Community & Economic Development Committee
- 3) Finance Committee
- 4) Judiciary Committee
- 5) Annexation Committee

**MISCELLANEOUS BUSINESS:** Member Cirelli asking who is in charge of traffic light because the light at 3<sup>rd</sup> and Market NW seems to be out of sequence with the other lights going down Market Avenue. She also questioned Director Price about the overtime spent for having the Sanitation Department work last Monday on 7/5/10 and were they the only department working on the holiday. Service Director Price stated that there definitely was some confusion last week regarding the trash pick up but that information was sent to correct the website quite some time ago. The overtime amount was not great and he will get the actual figures but if they would have paid overtime for Saturday pickup as well. There were other people working on Monday to cover emergencies as always in Water, Sewer, etc as well as the normal workers for Police and Fire. Member West needs some help in handling some constant problems at 633 High St NW. He and the Police are getting calls nightly for this address. He also wanted to thank the Animal Control Officer Phil Sedlacko for catching some opossums and a cat on his property and for the courteous way the he and his family were treated in this process. Safety Director Ream will check into the traffic lights on Market but this may be done on purpose to slow down traffic in the square. He will have someone follow up on the High St address for Member West and he also wanted to mention that he has only heard good things about Phil Sedlacko since he became Canton's Animal Control Officer and thanked him for his work ethic and all of the animals he has captured since taking this position. Law Director Martuccio letting Ms. Baylor know that Council will soon be voting on some maps with better views to show where different city and township boundaries are located to avoid some of the problems in the wooded areas. This is something the SCOG has been working on for awhile for the county. He wanted to express his thanks for the remarkable thing that happened in Council tonight with the love being shown from all aspects of the community from the invocation, to the organizations that received their Resolutions, to the people that have joined us from another country, all in the name of peace and love.

**ADJOURNMENT:** 8:38 P.M.

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JULY 26, 2010 @ 7:30 PM**