

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

AUGUST 9, 2010

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: President Schulman and Member Smuckler Absent

INVOCATION: Mary Cirelli, Council-at-Large Member

PLEDGE OF ALLEGIANCE: Led by President Pro Tem David Dougherty

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#6 & O#7; 2nd Rdg O#12 - O#22; O#6 & O#7 Adopted on 1st Rdg; O#12, O#14 & O#19 Adopted on 2nd Rdg; O#15 Adopted as Amended on 2nd Rdg; O#23 Reconsidered and Amended; O#33 Adopted as Amended)

PUBLIC HEARINGS:

- 7:30PM AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE RM INVESTMENTS/METRO RTA ANNEXATION AREA CONTAINING APPROXIMATELY 22.377 ACRES; ASSIGNING SAID TERRITORY TO WARD 8 OF THE CITY; ZONING SAID TERRITORY AS OS (OPEN SPACE) AND B-4 (SPECIAL BUSINESS); AND DECLARING THE SAME TO BE AN EMERGENCY **O#157/2010**
- 7:31PM 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 (3145 W TUSC - ORSO ENTERPRISES FROM B-3 GENERAL BUSINESS TO PB-4 PLANNED SPECIAL BUSINESS) **O#153/2010**

OLD BUSINESS: Reviewed Pending Issues from Public Speaks

PUBLIC SPEAKS (CITY BUSINESS): Eric Resnick bringing good news regarding the Resolution from the spring to Keep Our Educators Working which passed the Senate last week and will pass the House today. This is a great thing for Canton City Schools. He wanted to thank Council for the ongoing support for honoring McGregor School. Mike Verbus is an executive board member for AFSCME opposing Ordinance 20, 21 and 22. The union members are not being paid for additional job duties so why should management get increased pay. All city employees should receive a wage increase before these new positions are added. Norm Druckenbrod was trying to exit the parade route on Saturday morning and turned down a street that had no signs indicating it was closed however, was stopped by an officer that told him he was on a closed street and needed to turn around. When turning around a cruiser came and gave him a ticket. He feels he was treated disrespectfully as he has never had a citation in 62 years and did not even receive a call back from the Mayor's office regarding this matter. John Hall has the positive issue that can help the children and the city but feels that it will be very negative if a water park is not established at the Southeast Community. The swimming pool may help to attract and compliment this business. Dick Deitrick agrees with John Hall about the need for activities for both children and adults in the city and would like to see the YMCA get back on track. He thinks the Police presence on I77 could be used in other areas for more important issues because people only go the speed limit when they see the police there, otherwise they are doing 70 to 75 on the highway and not causing a problem. Ray Sprankle drives a truck and has been stopped on I77 a few times recently for overload, debris falling from vehicle, short mud flaps, etc. The trucks from his company are inspected on a weekly basis and these accusations are not true and he feels they are being harassed. Kathryn Ramsey wanted to thank the person responsible for getting some vacant houses on her street boarded up. She thinks that the lots from homes that are demolished should be offered to other home owners since she takes care of some lots in her neighborhood. David Poole had an incident at the Blue's Festival regarding his service dog and has never received any response back on the issue. He would like contacted about this matter. Barb Gaskell is the General Manager for Living Bread Radio. She discussed Rita Rizzo who became Sister Angelica and on October 9th and 10th there will be a tribute to her life at the Canton Civic Center. This will be broadcast around the world on both cable TV and the radio.

INFORMAL RESOLUTIONS:

44. COUNCIL-AS-A-WHOLE: COMMENDING THE EDUCATORS AND STUDENTS OF MCGREGOR ELEMENTARY SCHOOL. - ADOPTED
45. COUNCIL-AS-A-WHOLE: AMEND COUNCIL RULE #46. - ADOPTED

COMMUNICATIONS:

318. AUDITOR MALLONN: CERTIFICATE OF TOTAL AMT FROM ALL SOURCES FOR 2010. - RECEIVED & FILED
319. AUDITOR MALLONN: MONTHLY RPT BY FUND FOR 7/1/10 - 7/30/10. - RECEIVED & FILED
320. AUDITOR MALLONN: YEARLY RPT BY FUND FOR 1/1/10 - 7/30/10. - RECEIVED & FILED
321. COMMUNITY DEV DIRECTOR WILLIAMS: AMEND O#77/2010; REQ MAYOR TO AMEND AGMT W/SCOPP TO PROVIDE ADDT'L NSP FUNDS IN AMT OF \$20,000.00 FOR A TOTAL OF \$50,000.00 OF NSP FUNDS TO CITY'S HOUSING PROGRAMS TO BENEFIT LOT & MODERATE INCOME FAMILIES; ALSO \$15,000.00 IN HOME FUNDS TO ADMINISTER THE FORECLOSURE PREVENTION PROG FOR ONE YR PERIOD RETRO 1/1/10 - 12/31/10. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
322. COMPLIANCE DIRECTOR MINOR SMITH: AUTHORIZE MAYOR OR SERV DIR TO RECV SUPP FUNDS FROM HUD OF \$8,500.00 TO COVER EXPENSES FOR FOUR INDIVIDUALS TO ATTEND MANDATORY ANNUAL POLICY CONFERENCE FROM 7/19/10 - 7/23/10. - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

323. DEVELOPMENT DIRECTOR TORRES: REQ SUPP APPROP OF \$8,234.59 FROM UNAPPROP 2233 506001 CANTON FEDERAL CAMPUS PROJ FUND TO 2233 506001 CANTON FEDERAL CAMPUS PROJ FUND. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
324. DEVELOPMENT DIRECTOR TORRES: REQ SUPP APPROP OF \$402,780.70 FROM UNAPPROP 2211 506001 COMMUNITY DEVELOPMENT FUND TO 2211 506001 COMMUNITY DEVELOPMENT - OTHER. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
325. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR TO ENTER INTO CONTRACT W/CCIC TO ADMINISTER FUNDS; AUTHORIZE AUDITOR TO ESTABLISH 2816 629 ODOB FORD ROAD GRANT FUND, TO DEPOSIT FUNDS AND MAKE EXPENDITURES; REQ APPROP OF \$500,000.00 FROM UNAPPROP 2816 629 ODOB FORD ROAD GRANT FUND TO 2816 629 ODOB FORD ROAD GRANT FUND. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
326. HEALTH COMMISSIONER ADAMS: REQ APPROP TRANSFER OF \$45,000.00 FROM 2312 STD CONTROL - OTHER TO 2312 STD CONTROL - PERSONNEL. - FINANCE COMMITTEE
327. LAW DIRECTOR MARTUCCIO: REQ APPRVL OF LEGISLATION TO APPROP TRANSFERS TO EFFECTUATE PMT OF SETTLEMENT OF PENDING LITIGATION FOR A TOTAL SUM OF \$30,000.00 FOR THREE PLAINTIFFS. - FINANCE COMMITTEE
328. SAFETY DIRECTOR REAM: RECOMMENDING NO CHANGES TO THE DOWNTOWN DIAGONAL PARKING AT THIS TIME. - RECEIVED & FILED
329. SENATOR GEORGE VOINOVICH: PROVIDING HIS CONCERNS & OUTLOOKS FROM THE OIL SPILL AND CLEANUP PROCESS IN THE GULF OF MEXICO. - RECEIVED & FILED
330. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO MODIFY EXISTING CONTRACT W/ME COMPANIES FOR 12TH ST PROJ TO COMPLETE DESIGN/ENVIRONMENTAL/RIGHT-OF-WAY/CONSTRUCTION COORDINATION PORTION OF PROJ; RECV FEDERAL TRANSPORTATION FUND IN AMT OF \$743,852.00 FOR PROJ; MAKE SUPP APPROP OF \$743,852.00 FROM UNAPPROP BAL 4563 THE 12TH ST N CORRIDOR PROJ, G.P. 1098 TO 4563-202077 THE 12TH ST N CORRIDOR PROJ, G.P. 1098; APPROP TRANSFER OF \$631,741.00 OF CITY'S SHARE FROM 4506-201001 INFRASTRUCTURE BOND FUND - SERV DIR ADMIN TO 4506-202077 THE 12TH ST N CORRIDOR PROJ, G.P. 1098; AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
331. SERVICE DIRECTOR PRICE: REQ TO AMEND O#23/2010 FOR TERM OF LEASE AGMT W/STARK STATE COLLEGE FROM 1 YR WITH OPTION OF RENEW FOR ADDT'L 1 YR TO 3 YRS WITH OPTION TO RENEW FOR ADDT'L 3 YRS. - JUDICIARY AND FINANCE COMMITTEES
332. SERVICE DIRECTOR PRICE: AUTHORIZE ODOT TO REPAIR RAFF RD BRIDGE OVER US RT 30 IN CANTON CITY LIMITS WITH NO COST TO THE CITY. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
333. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS TO AMBULANCE LOCK BOX ACCTS FOR JULY 2010. - RECEIVED & FILED
334. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR JULY 2010. - RECEIVED & FILED
335. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF 7/30/10. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE SERV DIR TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORP; EMERGENCY (PARCEL #02-12064 ON REX AVE NE)
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 2. _____ AUTHORIZE CANTON TO ANNEX THE TERRITORY KNOWN AS THE DELONG ANNEXATION AREA CONTAINING APPROXIMATELY 0.192 ACRES; ASSIGNING SAID TERRITORY TO WARD 3 OF THE CITY; ZONING SAID TERRITORY AS R-1A (SINGLE FAMILY RESIDENTIAL); EMERGENCY
Referred to Annexation Committee **PUB HRG 9/13/10 @ 7:30 P.M.**
- 1ST RDG 3. _____ AMEND VARIOUS CHAPTERS OF PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
Referred to Judiciary Committee **PUB HRG 9/13/10 @ 7:31 P.M.**
- 1ST RDG 4. _____ AUTHORIZE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF VARIOUS COMPONENT CODES OF CODIFIED ORDINANCES OF CANTON, OHIO; EMERGENCY
Referred to Judiciary Committee
- 1ST RDG 5. _____ AUTHORIZE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF THE 2010 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; EMERGENCY
Referred to Judiciary Committee

(COUNCIL RECESSED AT 8:27 PM FOR COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #6; RECONVENED AT 8:30 PM)

- 141/2010 6. _____ DECLARE 8 BLDGS PUBLIC NUISANCES; AUTHORIZE SAF DIR TO ENTER INTO CONTRACT FOR DEMOLITION OF SAID BLDGS; AUTHORIZE CLERK OF CANTON CITY COUNCIL TO CERTIFY COSTS OF DEMOLITION TO STARK COUNTY AUDITOR; EMERGENCY
Referred to Community & Economic Development Committee

(COUNCIL RECESSED AT 8:30 PM FOR FINANCE COMMITTEE TO DISCUSS ORDINANCE #7; RECONVENED AT 8:33 PM)

- 142/2010 7. _____ AUTHORIZE SAF DIR TO ENTER INTO A PROFESSIONAL SERV CONTRACT W/TAC COMPUTER, INC. IN AMT NOT TO EXCEED \$59,875.00 FOR THE PURCHASE OF CAD/RMS/JMS/MDT/FBR SYSTEM & TO PURCHASE RELATED ADDT'L HARDWARE, LICENSES & TRAINING IN AMT NOT TO EXCEED \$90,125.00; AMEND APPROP O#1/2010; EMERGENCY
Referred to Finance Committee
- 1ST RDG 8. _____ AUTHORIZE SAF DIR TO ACCEPT A FIRE DEPT TRAINING & EQUIPMENT GRANT IN AMT NOT TO EXCEED \$3,950.00; AMEND APPROP O#1/2010; EMERGENCY
Referred to Finance Committee
- 1ST RDG 9. _____ AUTHORIZE SAF DIR TO EXECUTE THE OPERATIONAL AGMT W/STARK CTY FOR 800 MHZ MIXED MODE TRUNKED SIMULCAST SMARTZONE RADIO SYSTEM; EMERGENCY
Referred to Finance Committee
- 1ST RDG 10. _____ AUTHORIZE SERV DIR TO ENTER INTO A CHG ORDER W/ENVIRONMENTAL MGMT SERV IN AMT NOT TO EXCEED \$370,675.00 FOR ADDT'L COSTS RELATED TO BISON REMEDIATION PROJ; EMERGENCY
Referred to Finance Committee
- 1ST RDG 11. _____ AMEND APPROP O#1/2010, AS AMENDED; EMERGENCY (5410 SEWER OPERATING \$5,000.00)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#12 - O#22; O#12, O#14 & O#19 ADOPTED ON 2ND RDG; O#15 ADOPTED AS AMENDED ON 2ND RDG)**

- 143/2010 12. _____ ADOPTING CITY'S ALTERNATIVE TAX BUDGET FOR FY ENDING 12-31-11; EMERGENCY (FIN)
- 2ND RDG 13. _____ AMEND APPROP O#1/2010, AS AMENDED, BY MAKING \$14,558.00 & \$28,364.00 SUPP APPROPS; EMERGENCY (JUDGES) (FIN)
- 144/2010 14. _____ AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/THE CANTON NEGRO OLDTIMERS INC TO PROVIDE A GRANT IN AMT NOT TO EXCEED \$19,910.00; EMERGENCY (C&ED & FIN)
- AMENDED AS**
- 145/2010 15. _____ AMENDING APPROP O#1/2010, AS AMENDED, BY MAKING APPROP REDUCTION, VARIOUS SUPP APPROPS & APPROP TRANSFERS; EMERGENCY (FOR CITY'S CONTINUING OPERATION) (FIN)
- 2ND RDG 16. _____ AMEND APPROP O#1/2010, AS AMENDED, BY MAKING \$15,000.00 SUPP APPROP; EMERGENCY (PREVENTATIVE HEALTH) (FIN)
- 2ND RDG 17. _____ AMEND APPROP O#1/2010, AS AMENDED, BY MAKING \$50,500.00 APPROP TRANSFER; EMERGENCY (HEALTHY START) (FIN)
- 2ND RDG 18. _____ AUTHORIZE AUDITOR TO ESTABLISH THE 2422 THURMAN MUNSON MEMORIAL STADIUM DONATION FUND; EMERGENCY (FIN)
- 146/2010 19. _____ AUTHORIZE SERV DIR TO ENTER INTO A ONE-YR SUPPORT CONTRACT W/THE JAMES GROUP IN AN AMT NOT TO EXCEED \$37,747.35 FOR ONGOING SUPPORT & MAINTENANCE OF THE CITY'S ORACLE SOFTWARE LICENSES PURSUANT TO ORC SEC 125.04; EMERGENCY (FIN)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 20. AMEND EXHIBIT A TO O#164/2001, AS AMENDED, THE CLASSIFICATION PLAN & SALARIES FOR ALL MGMT & NON-BARGAINING UNIT EMPLOYEES; EMERGENCY (ENGINEERING) (PER & FIN)
- 2ND RDG 21. AMEND EXHIBIT A TO O#164/2001, AS AMENDED, THE CLASSIFICATION PLAN & SALARIES FOR ALL MGMT & NON-BARGAINING UNIT EMPLOYEES; EMERGENCY (WATER RECLAMATION FACILITY) (PER & FIN)
- 2ND RDG 22. AMEND EXHIBIT A TO O#164/2001, AS AMENDED, THE CLASSIFICATION PLAN & SALARIES FOR ALL MGMT & NON-BARGAINING UNIT EMPLOYEES; EMERGENCY (WATER CONSTRUCTION, REPAIR MAINTENANCE, SUPPLY TREATMENT DIVISION) (PER & FIN)

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

- 135/2010 23. 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
- 147/2010 24. 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, LENA BENNETT ON LOUISIANA AVE NW)
- 148/2010 25. 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
- 149/2010 26. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING THE SUPP APPROP DESCRIBED; EMERGENCY(SUMMER YOUTH TANF GRANT FUND AND YOUTH DEVELOPMENT SUMMER EMPLOYMENT - \$113,409.12 AND \$31,810.29)
- 150/2010 27. 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 5TH ST NW)
- 151/2010 28. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/STARK COUNTY BOARD OF COMMISSIONERS FOR STREET VIEW IMAGERY SERV; EMERGENCY
- 152/2010 29. 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
- 153/2010 30. 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.**
- 154/2010 31. 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
- 155/2010 32. AUTHORIZE SERV DIR TO APPLY FOR, ENTER INTO AGMT & ACCEPT FUNDS FOR 2011 PROG YR FROM OHIO PUBLIC WORKS COMMISSION; EMERGENCY
- AMENDED AS**
- 156/2010 33. 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
- 157/2010 34. 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.**

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, AUGUST 23, 2010 in Council Chamber at 6:30 P.M.**

- 1) Finance Committee
- 2) Judiciary Committee
- 3) Community & Economic Development Committee
- 4) Annexation Committee

MISCELLANEOUS BUSINESS: (None)

ADJOURNMENT: 9:30 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 23, 2010 @ 7:30 PM