

**FINAL**  
**AGENDA**  
7:30 PM

CANTON CITY COUNCIL

FEBRUARY 28, 2011

**ROLL CALL:** All Council Members Present

**MOTION TO EXCUSE MEMBERS:** Not Necessary

**INVOCATION:** Terry Prater, Assistant Majority Leader

**PLEDGE OF ALLEGIANCE:** President Allen Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>st</sup> Rdg O#3 & O#4 and 2<sup>nd</sup> Rdg O#5 - O#7; Communication #67 Withdrawn; O#3 and O#4 Adopted on 1<sup>st</sup> Rdg; O#9 Defeated)

**PUBLIC HEARINGS:** None

**OLD BUSINESS (PUBLIC SPEAKS):** None

**PUBLIC SPEAKS (CITY BUSINESS):** Bill Dieffenbaugher re: Expressed his opinion on the snow plow employees showing up at the Civic Center and feels that anything other than a verbal warning to the employees is unacceptable. He commended Council for the Informal Resolution regarding Senate Bill 5. He thanked Council Member Butterworth for bringing pop and candy bars to the Street Department employees during the recent storm; Joe Thompson re: Had questions regarding the IPMC; Pete DiGiacomo re: Relayed problems with the new teen dance club that recently opened at 606 9<sup>th</sup> St SW; Rosario Carcione re: Discussed his dismay with Ordinance #9; Roger Zachary re: Speaking on behalf of his neighbor whose basement flooded in Georgeview Estates; Gus Mackey re: Discussed flooding at his home due to not having drains there. He feels that a storm sewer should be installed; Patricia Kirk re: Discussed trees and the Tree Ordinance; Jennifer Lewis re: Relayed the hope that she had for her neighborhood and disappointed that a year later nothing has changed. Also stated that the last two storms we've had her streets were not plowed.

**INFORMAL RESOLUTIONS:**

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|----|---------------------|---|
| 6. | COUNCIL AS A WHOLE: | OPPOSING SENATE BILL 5. - ADOPTED   |
| 7. | COUNCIL AS A WHOLE: | CONGRATULATING KEN SHEELY FOR BEING NAMED THE ROBERT D. HOROWITZ CRIME PREVENTION CITIZEN OF THE YEAR. - ADOPTED  |
| 8. | COUNCIL AS A WHOLE: | CONGRATULATING OFFICER KIM ELLIOTT FOR BEING AWARDED CANTON POLICE OFFICER OF THE YEAR. - ADOPTED   |
| 9. | COUNCIL AS A WHOLE: | RECOGNIZING BETHANY NURSING HOME FOR THEIR EFFORTS TO USE LOCAL CONTRACTORS, LABORERS AND SUPPLIERS IN EXPANDING THEIR NURSING HOME FACILITY. - ADOPTED |

**COMMUNICATIONS:**

- |     |                                  |   |
|-----|----------------------------------|---|
| 59. | AUDITOR MALLONN:                 | REQUEST FOR ADDITIONAL AMENDED CERTIFICATE DATED 2/23/11. - RECEIVED & FILED  |
| 60. | CITY OF CANTON POLICE DEPT:      | REVISED 2010 POLICE DEPARTMENT REPORT FOR THE LAW ENFORCEMENT TRUST FUND, ALCOHOL INTERVENTION/EDUCATION FUND & LAW ENFORCEMENT EDUCATION FUND. - RECEIVED & FILED  |
| 61. | COMMUNITY DEV DIRECTOR WILLIAMS: | REQ \$110,783.74 SUPP APPROP TO THE NEIGHBORHOOD STABILIZATION PROGRAM. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES   |
| 62. | COMMUNITY DEV DIRECTOR WILLIAMS: | REQ \$3,513.62 SUPP APPROP TO THE YOUTH DEPARTMENT DONATION FUND. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES   |
| 63. | COMMUNITY DEV DIRECTOR WILLIAMS: | AUTHORIZE MAYOR TO AMEND ITS NSP FUNDING AGMT W/MULTI-DEVELOPMENT SERVICES TO PROVIDE AN ADDT'L \$20,000.00 IN NSP FUNDS FOR REHAB OF PROJECTS UNDERWAY, PROP TAXES & MAINTENANCE EXPENSES. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE  |
| 64. | COMMUNITY DEV DIRECTOR WILLIAMS: | ALLOW \$56,154.56 CHANGE ORDER TO OCCUR FOR THE PROJ KNOWN AS THE LEAD SMELT PROJECT (REMEDIATION EFFORT AT STEIN INDUSTRIAL PARK) THIS IS AT THE REQUEST OF ENVIRONMENTAL MANAGEMENT SERVICES, THE FIRM CONTRACTED TO PERFORM THE ACTUAL REMEDIATION WORK. - FINANCE COMMITTEE |
| 65. | FINANCE DIRECTOR ALGER:          | AMEND O#245/2010 FOR VARIOUS SUPP APPROPS, APPROP TRANSFERS & INTERFUND TRANSFER NECESSARY TO CONTINUE TO OPERATE THE CITY EFFICIENTLY. - FINANCE COMMITTEE   |
| 66. | PLANNING COMMISSION:             | RECOMMENDING APPROVAL OF PROPOSED TEXT CHANGE TO SECTION 1169.02, APPLICATION FOR CONDITIONAL USE PERMIT, OF THE CODIFIED ORDINANCES. - JUDICIARY COMMITTEE   |

**COMMUNICATIONS CONTINUED:**

67. SAFETY DIRECTOR REAM: REQ \$50,000.00 SUPP APPROP TO CODE ENFORCEMENT ADMINISTRATION FUND TO EXPEDITE THE PAYMENT OF EMERGENCY DEMOLITIONS, BOARD UPS, TITLE SEARCHES, LEGAL ADS & CLEANUP PROJECTS. - **WITHDRAWN**
68. SAFETY DIRECTOR REAM: RECEIPT OF DOCUMENTATION REGARDING THE FEMA FIRE PREVENTION GRANT. - RECEIVED & FILED
69. STARK METROPOLITAN HOUSING AUTHORITY: THANKING COUNCIL FOR ALL THEIR HARD WORK & COOPERATION THAT WAS EXTENDED TO THEM & THEIR CONSULTANT DURING THE CAPITAL FUND EDUCATION & TRAINING FACILITIES GRANT APPLICATION PROCESS. - RECEIVED & FILED

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

- 1<sup>ST</sup> RDG 1. AUTHORIZE AUDITOR TO PAY \$50,818.42 TO JWF SPECIALTY COMPANY; EMERGENCY (MAYFIELD, ET AL. V. CITY OF CANTON, ET AL - CASE #2006CV04657)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZE SERV DIR TO ENTER INTO AGMT W/GATEHOUSE OHIO MEDIA INC FOR PROF SVCS TO MANAGE THE LAYOUT, AD SALES, PRODUCTION & PHYSICAL DISTRIBUTION OF THE CITY'S QUARTERLY NEWS PUBLICATION; EMERGENCY  
Referred to Finance Committee

***(COUNCIL RECESSED AT 8:22 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #3 RECONVENED AT 8:24 PM)***

- 29/2011 3. AUTHORIZE THE MAYOR TO SUBMIT AN AMENDMENT TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE NEIGHBORHOOD STABILIZATION 3 PROGRAM; EMERGENCY  
Referred to Community & Economic Development Committee

***(COUNCIL RECESSED AT 8:24 PM FOR THE PERSONNEL AND FINANCE COMMITTEES TO DISCUSS ORDINANCE #4; RECONVENED AT 8:25 PM)***

- 30/2011 4. APPROVE AMENDMENTS TO THE COLLECTIVE BARGAINING AGMT BETWEEN THE CITY AND THE CANTON POLICE PATROLMAN'S ASSOC; APPROVE A ONE-YEAR CONTRACT BETWEEN CITY AND CANTON POLICE PATROLMAN'S ASSOC; EMERGENCY  
Referred to Personnel & Finance Committees

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

***(SUSPENDED RULE 22A TO ADD O#5 - O#7)***

- 2<sup>ND</sup> RDG 5. AMEND ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (1700 55<sup>TH</sup> ST NE, GERVASI VINEYARD)  
(JUD) \_\_\_\_\_ **PUB HRG 3/7/11 @ 7:30 P.M.**
- 2<sup>ND</sup> RDG 6. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/TRINITY GOSPEL TEMPLE TO PROVIDE A GRANT IN AMT NOT TO EXCEED \$25,000.00; EMERGENCY (C&ED & FIN)
- 2<sup>ND</sup> RDG 7. AUTHORIZE THE LEASING OF AVAILABLE SUBFLEETS OF THE CITY'S 800 MEGAHERTZ COMMUNICATION SYSTEM; EMERGENCY (FIN)

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

- 31/2011 8. AUTHORIZE AUDITOR TO PAY \$171,403.78 TO MOTOROLA SOLUTIONS, INC AND \$46,223.10 TO B & C COMMUNICATIONS, INC FOR THE CITY'S SHARE FOR MAINTENANCE OF THE DISPATCH CENTER EQUIPMENT AND PORTABLE RADIOS; EMERGENCY
- DEFEATED** 9. AMEND EXHIBIT A TO O#40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED (CADET FIREFIGHTER/PARAMEDIC AND PROBATIONARY POLICE OFFICERS)
- 32/2011 10. AUTHORIZE SERV DIR TO ENTER INTO PROF SVCS CONTRACT FOR STOP-LOSS INSURANCE FOR CITY EMPLOYEES & THEIR DEPENDENTS; EMERGENCY
- 33/2011 11. AUTHORIZE SERV DIR TO DONATE AN INDUCTIVELY COUPLED PLASMA-OPTICAL EMISSION SPECTROMETER TO CITY OF ASHTABULA WASTEWATER FACILITY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:**

**MONDAY, MARCH 7, 2011 in Council Chamber at 6:45 P.M.**

1) Finance Committee

**THURSDAY, MARCH 10, 2011 in Council Chamber at 4:00 P.M.**

Meeting regarding Hydrofracking

**MISCELLANEOUS BUSINESS:** Service Director Price re: Gave an update on the flooding. Also told Jennifer Lewis that he would look into the issue she had with her street not getting plowed; Member Smith re: Asked Service Director to talk to Mr. Thompson tonight; Service Director Price re: Told Member Smith that since Mr. Thompson's issues were in regard to the IPMC he would have the Safety Director talk to him; Member West re: Thanked Fire Chief Rich for his assistance with the flooding and asked who he can refer the flood victims to; Member Cirelli re: Asked someone from the Administration to look into the problems at the former Pastime Inn; Service Director Ream re: Advised Member Cirelli that he would look into that; Member Cirelli re: Discussed smoke detectors and showed the Safety Director one that she purchased with a ten year non removable lithium battery, stating that these are what she would like to see purchased; Safety Director Ream re: Stated that the smoke detectors have to be purchased through a bid process; Member Cirelli re: Advised that she would like to go over the bids; Safety Director Ream re: Stated that Board of Control meets tomorrow at 9:15 AM and welcomed her to attend; Law Director Martuccio re: Advised that the draft of the Tree Ordinance is available; Service Director Price re: Advised Member West that he should have the flood victims contact Director Williams of the Community Development Department; Member Smith re: Advising Member Cirelli that she has been in touch with the owner of the building at 606 9<sup>th</sup> St SW and she is on top of the situation down there; Majority Leader Dougherty re: Relayed that Communication #67 on the Agenda is withdrawn; Member Butterworth re: Asked for a status of the spray park.

**ADJOURNMENT:** 9:27 PM

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 7, 2011 @ 7:30 PM**