

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

APRIL 25, 2011

ROLL CALL: Twelve Council Members Present
MOTION TO EXCUSE MEMBERS: President Schulman Absent
INVOCATION: Patrick Barton, Ward 7 Council Member
PLEDGE OF ALLEGIANCE: President Pro Tem David Dougherty

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#6; 2nd Rdg O#7 - O#16; O#6 Adopted on 1st Rdg; O#13 - O#16 Adopted on 2nd Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Gale Nagel lives in North Canton but is interested in obtaining Canton city water at her home. She feels that Council should be able to restrict specific things during the sale of water to Hartville and she knows that the city cannot solve problems of aquifer damage. Ms. Nagle wanted to know if legal parameters could be set in the contract for the sale of water. Darla Bruno wants language in the contract with Hartville that prevents hydrofracing with the water they receive from Canton. Chesapeake company was at a meeting in Hartville and they stated that they preferred to use a municipal water supply when drilling. She feels that if Canton is trying to make money from the sale of water that the city should consider bring in a bottling company to create jobs. Amy Rice states that water sustains life and this needs to be about more than dollar signs. If the water system would become contaminated, can the city afford to fix it. She wants all to realize when making this decision that citizens are out there watching and voting. Lilia Fuguen is a student at Kent State Stark Branch and must be assured that language will exist in the contracts for sale of water to Hartville that it will exclude hydrofracing as a use for the water because this is an enraging topic to the residents. Erin Stewart has issues and concerns with the selling of water to Hartville. She feels that Council and the administration need to put much thought into this decision beyond the revenue that may be generated, the water must remain safe. Alexandria McCall resides in Doylestown but wants to know how much water is needed for a hardware store. She heard someone state in the meeting that it would be about 500,000 gallons going up to that area but since Canton has so much more than that available, what is to stop them from tapping in and using it for fracing purposes? Nancy Esway wants to ensure a good and lasting water supply for all residents of Canton. She reminded Council and the administrations that they all took an oath to care for the citizens and resources of the city. Suzanne Garver states that this is a very emotional issue and doesn't want anyone to make it easy for gas companies to poison the water supply. There are other cities and states that are now declaring hydrofracing a public health risk and we need to be very cautious of our water supply. Rosario Carcione passed out the cost analysis completed by the union for the EMS services and included a DVD of the response time when services are provided in the city. He also was asking for signatures on the petition for Senate Bill 5 to be placed on the ballot in November.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

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| 144. | APPLICANT, TERRY NOLAN: | REQ FOR VACATION & REPLAT OF REX AVE NE BETWEEN 11 TH ST NE & 12 TH ST NE; LODDY AVE NE BETWEEN 11 TH ST NE & AMERMAN PL NE; AMERMAN PL NE BETWEEN WALNUT AVE NE & LODDY AVE NE FOR STANDARD PRINTING CO. - PLANNING COMMISSION |
| 145. | AUDITOR MALLONN: | REQ FOR ADDTL AMENDED CERTIFICATE DATED 4/19/11. - RECEIVED & FILED |
| 146. | LIQUOR CONTROL DIV (OHIO): | REQ NEW D1 D3 D3A LIQ PERMIT FOR LUCCA RESTAURANT LLC DBA LUCCA @ 284 4 TH ST NW. - RECEIVED & FILED |
| 147. | MAYOR WILLIAM HEALY,
SAFETY DIR REAM, SERVICE DIR PRICE: | REQ LEGISLATION TO TERMINATE THE PAY FREEZE ORDINANCE ALLOWING THE PAY INCREASE TO MGMT & NON-UNION MGMT EMPLOYEES. - PERSONNEL AND FINANCE COMMITTEES |
| 148. | PLANNING COMMISSION: | RECOMMEND APPRVL OF VACATION & REPLAT OF REX AVE NE BETWEEN 11 TH ST NE & 12 TH ST NE; LODDY AVE NE BETWEEN 11 TH ST NE & AMERMAN PL NE; AMERMAN PL NE BETWEEN WALNUT AVE NE & LODDY AVE NE FOR STANDARD PRINTING CO. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE |
| 149. | PLANNING COMMISSION: | RECOMMEND APPRVL OF REPLAT OF LOTS 22369 THRU 22377, 22379 THRU 22386, 39979 THRU 39983, 41278 THRU 41281, 37575 THRU 37579, 37581 THRU 37585 AND 41273 THRU 41277 FOR UNITED HARD CHROME CORP & UNITED GRINDING AND MACHINE CO INC. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE |
| 150. | SAFETY DIRECTOR REAM: | ADVISE COUNCIL OF EMS COST ANALYSIS. - RECEIVED & FILED |
| 151. | SAFETY DIRECTOR REAM: | AUTHORIZE SAF DIR TO PAY MORAL OB OF \$675.00 TO MERCY MEDICAL CTR FOR ADVANCED CARDIAC LIFE SUPPORT TRAINING FOR FIRE DEPT. - FINANCE COMMITTEE |

COMMUNICATIONS CONTINUED:

152. SERVICE DIRECTOR PRICE: REQ AMEND O#34/2006 WHICH ESTABLISHED TIF FOR LESH RD/30TH ST NE REDEVELOPMENT AREA. - JUDICIARY COMMITTEE
153. WATER SUPERINTENDENT CONVERSE: 2010 ANNUAL REPORT FOR CANTON WATER DEPT. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND APPROP O#245/2010, AS AMENDED, BY MAKING A \$50,000.00 APPROP TRANSFER FROM 2211 50-16-01 COMMUNITY DEV YOUTH DEV ADMIN - PERSONNEL TO 2211 50-16-01 COMMUNITY DEV YOUTH DEV ADMIN - OTHER; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 2. AMEND APPROP O#245/2010, AS AMENDED, BY MAKING A \$700,000.00 SUPP APPROP FROM UNAPPROP BAL OF 2214 HOME FUND TO 2214 HOME - OTHER; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 3. AUTHORIZE MAYOR TO ENTER INTO AGMT W/STATE OF OHIO, DEPT OF REHABILITATION & CORRECTION FOR RECEIPT OF THE FY 2012 COMMUNITY CORRECTIONS ACT GRANT IN AMT NOT TO EXCEED \$170,601.00; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 4. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A COOP ECONOMIC DEVELOPMENT AGMT (JOBS4US) WITH AMERIDIAL INC.; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 5. AUTHORIZE AUDITOR TO ENTER INTO PROF SERV CONTRACT FOR ALL CONTRACTUAL COMMITMENTS, INCLUDING BOND LEGAL COUNSEL AND RELATED BANK SERV NECESSARY FOR THE CITY OF CANTON TO ISSUE BOND ANTICIPATION NOTE; EMERGENCY
Referred to Finance Committee

(COUNCIL RECESSED AT 7:54 PM FOR THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #6; RECONVENED AT 8:00 PM)

- 61/2011 6. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A JOB CREATION TAX INCENTIVE AGMT WITH PROJECT VENUS; EMERGENCY
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#7 - O#16; ADOPTED O#13 - O#16 ON 2ND RDG)

- 2ND RDG 7. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/EOC2GO, LLC IN AN AMT NOT TO EXCEED \$38,124.00 FOR PURCHASE OF EOC2GO EMBOHX PRO; EMERGENCY (FIN)
- 2ND RDG 8. AMEND APPROP O# 245/2010, AS AMENDED, BY MAKING A \$6,250.00 APPROP FROM 2316 WIC - HEALTH - OTHER TO 2316 WIC - HEALTH - TRAVEL; EMERGENCY; EMERGENCY (FIN)
- 2ND RDG 9. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/YWCA OF CANTON, INC. TO PROVIDE A GRANT IN AMT NOT TO EXCEED \$100,000.00 FOR THE TRANSITIONAL HOUSING PROJECT; EMERGENCY (C&ED)
- 2ND RDG 10. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/STARK COUNTY OUT OF POVERTY PARTNERSHIP, INC. TO PROVIDE A GRANT UTILIZING HOME FUNDS IN AMT NOT TO EXCEED \$500,000.00 FOR HOUSING PROJECTS; EMERGENCY (C&ED)
- 2ND RDG 11. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/FREED HOUSING TO PROVIDE A GRANT IN AMT NOT TO EXCEED \$500,000.00 FOR HOUSING PROJECTS TO BENEFIT LOW AND MODERATE INCOME FAMILIES; EMERGENCY (C&ED)
- 2ND RDG 12. APPROVE CONTRACT AMENDMENTS TO COLLECTIVE BARGAINING AGMT BETWEEN CITY OF CANTON AND LOCAL 3449 AND OHIO COUNCIL 8; EMERGENCY (PER & FIN)
- 62/2011 13. AUTHORIZE SERV DIR TO ENTER INTO PROF ENGINEERING AGMT W/M-E COMPANIES IN AMT NOT TO EXCEED \$65,415.00; AMEND APPROP O#245/2010; AUTHORIZE SERV DIR TO ADVERTISE REC BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF HARTVILLE/LAKE TOWNSHIP WATER MAIN EXT PROJ; EMERGENCY (E&PU & FIN)
- 63/2011 14. AUTHORIZE SERV DIR TO ENTER INTO AGMT WITH VILLAGE OF HARTVILLE TO EXTEND WATER LINES INTO THE VILLAGE; EMERGENCY (E&PU)
- 64/2011 15. AUTHORIZE SERV DIR TO ENTER INTO AGMT WITH TWNSHP OF LAKE TO EXTEND WATER LINES INTO THE TWNSHP; EMERGENCY (E&PU)
- 65/2011 16. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/HRM ENTERPRISES, INC. DBA HARTVILLE HARDWARE (HRM) TO PROVIDE CANTON CITY WATER FOR DOMESTIC & SPRINKLER USE FOR HRM; EMERGENCY (E&PU)

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

- 66/2011** 17. AMEND APPROP O#245/2010, AS AMENDED, BY MAKING VARIOUS SUPP APPROPS; EMERGENCY (ENERGY EFFICIENCY FUND, ROAD FUND, STREET MAINT. FUND)
- 67/2011** 18. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR ONE 2011 HEAVY DUTY CREW TRUCK CHASSIS IN AN AMT NOT TO EXCEED \$40,000.00 FOR WATER DEPT; AUTHORIZE SERV DIR TO ENTER INTO CONTRACT FOR PURCHASE OF VARIOUS VEHICLES PURSUANT TO STATE COOP PURCH AGMT FOR WATER DEPT; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, MAY 9, 2011 in Council Chamber at 6:30 P.M.**

- 1) Finance Committee
- 2) Community & Economic Development Committee

MISCELLANEOUS BUSINESS: Member Cirelli asking the Mayor about the status of Ameridial. Mayor Healy said Ameridial will be discussed in two weeks at the committee meeting. Member Griffin inviting all to attend the Fairhope Nature Preserve Grand Opening and Dedication on Saturday, April 30th at 10:00 am. There will be many fun things for all ages. Member Smith thanking the Engineering Office and Lake Erie railroad for fixing the tracks on Warner Road. These were the worse tracks in the city and now the best. Member West inviting all to participate in B-Earth Day on Saturday, April 30. Please come out and help plant flowers at Nimisilla Park from 10:00 am to 8:00 pm. He also is having an issue with railroad ties that are laying around tracks in various areas of the city. These are very hideous and if anyone knows of someone that will help clean these up, please contact him because he would appreciate the assistance very much. Member Cirelli thanked Member West for having the events for B-Earth Day. She participated last year and knew the biggest problem was lack of available water and maybe he could work towards getting some water into the park. Mayor Healy thanked all the speakers for coming down and giving their thoughts on the water issues. He wanted all to know that the Water Department is a separate entity and funds generated by them must be used for their purposes. This has nothing to do with the city's General Fund monies. He asked the Law Director to verify if the city of Canton can choose not to purchase gas from gas suppliers who frac. Law Director Martuccio will check on some things with the gas supplier about that topic but he feels an exclusion of this gas, if being used, would need to come out early in the process. He also wanted to remind the citizens that City Council has already passed a Resolution for a moratorium on fracing this year. Service Director Price states that Tyler Converse is an at-will employee of the city and he works very diligently on many issues to help the Water Department and advance the water systems of the city. The time he spends on projects goes above and beyond the call of duty and he would be happy to have other department heads put up the same efforts. Member Dougherty agrees about Mr. Converse because he has worked with him and knows that his approach is always very professional.

ADJOURNMENT: 8:36 P.M.

THERE WILL BE NO MEETING MONDAY, MAY 2, 2011

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MAY 9, 2011 @ 7:30 PM