

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

CANTON CITY COUNCIL

MAY 16, 2011

**ROLL CALL:** Eleven Council Members Present

**MOTION TO EXCUSE MEMBERS:** President Schulman and (Member Smith - attended at a later time)

**INVOCATION:** Brian Horner, Ward 9 Council Member

**PLEDGE OF ALLEGIANCE:** President Pro Tem Dougherty

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#11 - O#14; Change referral for Communication #193 to Personnel Committee; O#15 Adopted as Amended)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Rebecca Shrewsbury re: Thanked police for responses they've gotten. Also advised that Service Director Price told her about cameras and when she asked the Chief he told her they don't have any; Bette Mardis re: Thanked the Members of Council that stopped at her house on Saturday after her house was shot at and thanked the Mayor and Safety Director for going to her house today. Asked the Mayor where the 33% reduction in crime is; Steve Mardis re: Thanked the Members of Council that came to his house and the Mayor and Safety Director. Thanked the Police for their quick response. Challenged the Mayor to spend a month in a vacant house across the street from him and to take walks with him. Discussed his security system. Sylvia Evans re: Discussed the shootings in her neighborhood; Jen Lewis re: Relayed that the last three nights she has been awakened by semi automatic gun shots in her neighborhood and when she called the Police she was told that they could not come out at that time; Timothy Gissiner re: Asked Member Butterworth why he has not heard from the Street Department yet. Also relayed some problems in his neighborhood with illegal parking.

**INFORMAL RESOLUTIONS:** None

**COMMUNICATIONS:**

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| 177. | AUDITOR MALLONN:  | REQ FOR ADDT'L AMENDED CERT DATED 5/9/11. - RECEIVED & FILED  |
| 178. | COMPLIANCE DIR MINOR SMITH & COMMUNITY DEV DIRECTOR WILLIAMS: | AUTHORIZE SERV DIR TO ENTER INTO PROF SVCS CONTRACT FOR CONSTRUCTION ENG SVCS FOR WATER PARK FACILITY PROJ @ THE EDWARD "PEEL" COLEMAN CNTR; ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR CONSTRUCTION PHASE OF THIS PROJ. - FINANCE COMMITTEE   |
| 179. | DALE, LAVERNE JR, APPLICANT:                                  | APPLICATION FOR ZONE CHANGE @ 3745 KIRBY AVE NE FROM R1A TO PB3 FOR WAREHOUSE IN CONJUNCTION W/ EXISTING RETAIL & WHOLESALE OPERATIONS (WARD 6). - PLANNING COMMISSION  |
| 180. | ECONOMIC DEV DIRECTOR TORRES:                                 | AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A FUNDING AGMT W/JUMP START UTILIZING CDBG FUNDS IN AMT OF \$100,000.00 TO PROVIDE GRANTS TO LOCAL BUSINESSES IN CONJUNCTION W/THE CANTON ENTREPRENEUR LAUNCH PROG. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE  |
| 181. | ECONOMIC DEV DIRECTOR TORRES:                                 | AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AGMT W CCIC TO PROVIDE A GRANT UTILIZING CDBG FUNDS IN AN AMT NOT TO EXCEED \$500,000.00 FOR ECONOMIC DEV PROJ, LOAN & ADMIN COSTS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE  |
| 182. | MAYOR HEALY:  | ADVISING OF APPT OF WUYANBU ZUTALI TO CANTON PARK COMMISSION TO FILL UNEXPIRED TERM OF MIKE BROWN RETROACTIVE TO 4/26/11 - 12/31/13. - RECEIVED & FILED   |
| 183. | MAYOR HEALY:  | REQ AUTHORIZATION OF APPT OF MIKE BROWN TO CANTON RECREATION BOARD COMMENCING 1/1/11 - 12/31/15. - PERSONNEL COMMITTEE  |
| 184. | PLANNING COMMISSION:  | RECOMMENDING APPROVAL FOR PROPOSED ZONE CHANGE @ 3120 PARKWAY ST NW (LOT #1480024) FROM R-1a (SINGLE FAMILY RESIDENTIAL) TO PB-1 (PLANNED OFFICE DISTRICT) FOR DEVELOPMENT OF A MEDICAL FACILITY & LABORATORY COMPLEX IN WARD 1 (DR ALBERT DOMINGO). - JUDICIARY COMMITTEE  |
| 185. | PLANNING COMMISSION:  | RECOMMENDING APPROVAL OF PROPOSED ZONE CHANGE @ 2213 CLEVELAND AVE NW (LOTS 12530 - 12538, PTS OF 12467, 12468, 12469, 12470, LOTS 12471, 12472 & 12587) FROM B-3 (GENERAL BUSINESS TO PB-4 (PLANNED SPECIAL BUSINESS) TO BE USED FOR OFFICES, SALES, WAREHOUSING & VERY LIGHT INDUSTRIAL USE SUCH AS FABRICATING & ASSEMBLY IN WARD 7 (GROFFRE INVESTMENTS). - JUDICIARY COMMITTEE |

**COMMUNICATIONS CONTINUED:**

186. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AN AGMT W/STARK COUNTY FOR THE TRANSFER OF STORM SEWER WITHIN THE PARK FARMS PROPERTY THAT IS REQUIRED FOR CONVEYANCE OF PUBLIC ROAD WATERS. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
187. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONSULTANT CONTRACT BETWEEN CITY & GPD GROUP FOR THE 41<sup>ST</sup> ST NW STORM SEWER PROJ, GP 1126; MAKE A \$80,956.00 APPROP TRANSFER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVE BY PROP DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
188. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONSULTANT CONTRACT BETWEEN CITY & HAMMONTREE & ASSOC LTD FOR NE CANTON INDUSTRIAL PARK PROJ; AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A COOP PROJ AGMT BETWEEN CITY & CCIC FOR FUNDING & ADMINISTRATION OF THE DESIGN & CONSTRUCTION OF NE CANTON INDUSTRIAL PARK PROJ & TO REC REIMBURSEMENT FOR CITY SVCS PROVIDED TO CCIC; MAKE \$212,175.00 APPROP TRANSFER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVE BY PROP DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
189. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT & LICENSE AGMT W/DOWNTOWN SPECIAL IMPROVEMENT DISTRICT & KING PROPERTIES INC (4<sup>TH</sup> ST NW ORNAMENTAL LIGHTING AGMT). - FINANCE COMMITTEE
190. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONSULTANT CONTRACT BETWEEN CITY & CTI ENGINEERS INC FOR 55<sup>TH</sup> ST NE STORM SEWER PROJ, GP 1125; MAKE \$193,300.00 APPROP TRANSFER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVE BY PROP DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
191. SERVICE DIRECTOR PRICE: ADVISING THAT THE CITY WILL NOT BE ENTERING INTO A PLA FOR HARTVILLE/LAKE WATER MAIN EXTENSION PROJ. - RECEIVED & FILED
192. SERVICE DIRECTOR PRICE: REQ EMERGENCY \$94,594.50 & \$34,000.00 SUPP APPROPS FROM WATER FUND UNAPPROP BAL TO WATER FUND APPROP BALANCE FOR REPLACEMENT OF 24" WATER TRANSMISSION MAIN LOCATED ON STARK COUNTY'S FAILING 55<sup>TH</sup> ST BRIDGE. - FINANCE & PUBLIC SAFETY & THOROUGHFARES COMMITTEES
193. SERVICE DIRECTOR PRICE: REQ THAT PRESIDENT OF COUNCIL NAME A MEMBER OF COUNCIL TO SERVE ON JOINT COMMITTEE W/CANTON TOWNSHIP FOR PURPOSE OF ADVANCING MUTUAL ECONOMIC DEV INTERESTS IN THE I-77 CEDA AGMT; REQ COUNCIL TO CONFIRM APPT OF SAID COUNCIL MEMBER AND THE APPT OF WARREN PRICE AS MAYOR'S REPRESENTATIVE. - PERSONNEL COMMITTEE
194. SMUCKLER, W, CNCL AT LG: REQUEST TO REMOVE NAME FROM VARIOUS FINANCIAL TASKS ASSIGNED BY MAYOR. - RECEIVED & FILED

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

- 1<sup>ST</sup> RDG 1. VACATE PORTIONS OF REX AVE NE, LODDY PL NE & AMERMAN PL NE; APPROVE & ACCEPT THE REPLAT OF NUMEROUS LOTS; EMERGENCY (STANDARD PRINTING) **PUB HRG: 6/6/11 @ 7:30 PM**  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZE CLERK OF COURTS TO ENTER INTO A PROFESSIONAL SVCS CONTRACT W/EXTRACT SYSTEMS IN AN AMT NOT TO EXCEED \$31,999.00 FOR THE PURCHASE OF REDACTION SOFTWARE; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 3. AMEND APPROP O#245/2010, AS AMENDED, BY MAKING \$50,000.00 APPROP TRANSFER; EMERGENCY (NEIGHBORHOOD STABILIZATION PROG - PERSONNEL)  
Referred to Community & Economic Development Committee

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

- 1<sup>ST</sup> RDG 4. AMEND APPROP O#245/2010, AS AMENDED, BY MAKING \$50,000.00 APPROP TRANSFER; EMERGENCY (NEIGHBORHOOD STABILIZATION 3 FUND - PERSONNEL)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 5. ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECOMMENDATIONS REGARDING ENTERPRISE ZONE TAX ABATEMENT AGMTS; EMERGENCY  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 6. AMEND APPROP O#245/2010, AS AMENDED, BY MAKING \$229,696.00 SUPP APPROP; EMERGENCY (TO EXPEND FUNDS FROM PRIOR YEAR PURCHASE ORDERS THAT WERE CANCELLED IN 2011)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 7. AUTHORIZE EDITING & INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; EMERGENCY  
Referred to Judiciary Committee
- 1<sup>ST</sup> RDG 8. AUTHORIZE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUB OFFICIALS & PUBLIC INSTITUTIONS COPIES OF 2011 SUPP TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; EMERGENCY  
Referred to Judiciary Committee
- 1<sup>ST</sup> RDG 9. AUTHORIZE SAF DIR TO ENTER CONTRACT W/THE OHIO DESK CO IN AN AMT NOT TO EXCEED \$79,027.74 FOR PURCHASE OF FURNITURE FOR THE NEW #4 FIRE STATION PURSUANT TO ORC SEC 125.04; AMEND APPROP O#245/2010; EMERGENCY  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG 10. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/THE OHIO POWER CO TO PROVIDE ELECTRIC ENERGY SERVICES TO THE WATER REC FACILITY @ 3650 CENTRAL AVE SE; EMERGENCY  
Referred to Environment & Public Utilities Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#11 - O#14)**

- 2<sup>ND</sup> RDG 11. AMEND EXHIBIT A AND CREATE EXHIBIT D TO ORDINANCE NO. 164/2001, AS AMENDED, CLASSIFICATION PLAN AND SALARIES FOR ALL MGMT AND NON-BARGAINING UNIT EMPLOYEES OF CITY OF CANTON; REPEAL SECTION 151.22, PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS) PICKUP, OF THE CODIFIED ORDINANCES; EMERGENCY (PER & FIN)
- 2<sup>ND</sup> RDG 12. APPROVE AND ACCEPT THE 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; EMERGENCY (PS&T)
- 2<sup>ND</sup> RDG 13. AUTHORIZE CITY AUDITOR TO PAY \$675.00 TO MERCY MEDICAL CTR; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 14. AMEND EXHIBIT B OF ORDINANCE NO. 34/2006 THAT DESIGNATED COMMERCIAL IMPROVEMENTS OF PROP AT LESH RD/30TH ST REDEVELOPMENT AREA SUBJECT TO TAX INCREMENT FINANCING; EMERGENCY (JUD)

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

- 74/2011 15. 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
- 75/2011 16. 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
- 76/2011 17. 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
- 77/2011 18. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A COOP ECONOMIC DEVELOPMENT AGMT (JOBS4US) WITH AMERIDIAL INC.; EMERGENCY
- 78/2011 19. 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

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, MAY 23, 2011 in Council Chamber at 6:15 P.M.**

- 1) Finance Committee
- 2) Personnel Committee
- 3) Judiciary Committee
- 4) Community & Economic Development Committee
- 5) Public Property Capital Improvement Committee
- 6) Public Safety & Thoroughfares Committee
- 7) Environment & Public Utilities Committee

**MISCELLANEOUS BUSINESS:** Member West re: Expressing that his heart goes out to all the shooting victims. Relayed that there was a shooting at 1005 13<sup>th</sup> St NE and the police did go out that night and the next morning. Said that we need to keep fighting this and everyone's help is needed; Safety Director Ream re: Advised Rebecca Shrewsbury that the City does have cameras but they are all being used at this time and believes this is what the Chief meant when he told her there are no cameras. Also stated that the City will possibly be purchasing more cameras. Relayed to the Mardis' that the City does not condone this activity and there is an ongoing investigation with what happened to their home and with the incidents at 13<sup>th</sup> and Plain. Relayed that some of the forfeiture funds will be being used for upcoming overtime for the Police Department; Member Dougherty re: Relayed that he knows the cameras work and we should be looking at buying more not just talking about it; Member Hawk re: Concurred with Member Dougherty and commended the Police Officers but stated he doesn't feel there are enough of them out there; Member Cirelli re: Asked if the City still has a Drug Task Force, if there are more officers staffed on the weekends, how is busy time determined, if there are any plans for more officers, why they can't use HUD funds to hire more officers, and how long the City has had the Southeast Community Center; Safety Director Ream re: Relayed that there are still 2 members on the Drug Task Force and that he sent a communication down to Civil Service to get the process started for more officers; Mayor Healy re: Stated that the HUD funds are being used for the Southeast Community Center to keep the kids off the street; Member Barton re: Asked if the HUD funds that the City receives change yearly, if so he doesn't feel it would make sense to use these funds to hire new officers just to have to lay them off when the HUD funds are reduced the following year; Mayor Healy re: Stated that the funds do change from year to year and the Governor has already announced a reduction in HUD money; Member West re: Asked if it is possible to have surveillance signs posted where cameras are; Member Butterworth re: Asked if the recent shooting took place on Saturday at 2:02 AM what the delay was in having the Detectives come out this morning and wonders if that hurts the investigation; Safety Director Ream re: Advised that the Detectives do not work on the weekends and that doesn't necessarily hurt the investigation; Member Smuckler re: Relayed that a Canton Police Officer is telling people that there is no longer a Drug Task Force. Also stated that he is in support of selling Southeast Community Center to Stark Metropolitan Housing so that we can take CDBG money to fund Police Department; Law Director Martuccio re: Relayed the courage and professionalism that he witnessed recently with one of the Canton Police Officers; Member Cirelli re: Stated that she doesn't know what good putting up surveillance signs would be. Also described the home that was shot at on Hammond SW; Member Hawk re: Stated that it is up to Council to determine where to spend money and feels that the safety and welfare of the citizens are well worth spending the money; Mayor Healy re: Told how his grandmother's house and neighbors house was shot at years ago which made him want to run for office to make a difference. Expressed how the Administration has had to make priorities with limited amount of resources. Stated that he has not stopped making Zero Tolerance a priority.

**ADJOURNMENT:** 8:52 PM

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**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MAY 23, 2011 @ 7:30 PM**