

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

JULY 25, 2011

ROLL CALL: Eleven Council Members Present
MOTION TO EXCUSE MEMBERS: Member Hawk Absent
INVOCATION: Bill Smuckler, Council-at-Large
PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#6; 2nd Rdg O#8 - O#16; O#6 Adopted on 1st Rdg; O#16 Adopted on 2nd Rdg; O#17 Adopted as Amended)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Wayne Jamerson asks if the city has any control over the grass and weeds inside the building at the old Ohio Cast. The weeds outside are 6 feet tall but he thinks what is inside is causing a lot of mosquitoes in the area. He also wants the administration and Council to tell people the truth about never building a sprinkler park in the SE end of town. There is nothing for the kids to do and he doesn't feel the spray park will be built. Gary Oman has concerns with all of the issues at Ridgewood Castle Apts. There are drug dealers and users living there and openly selling and doing drugs in front of everyone including children. There are mice in the buildings and most of the hallways smell like urine. Something needs to be done with this complex. Jason Scaglione states that the intersection of Glen Place and Fawcett continues to flood every time there is a heavy rain. He has received reports that the area is in need of larger storm sewers to divert the run off from 25 acres of land. There is a garage in his area that doesn't have a door on it and the neighborhood kids are using it as a place to get high. After calling to report this, there still is no door on the garage. He wants to know why the city is not using the Police Dept motorcycles for the summer since these probably have high lease payments. Mr. Scaglione is still asking for answers about the availability of EMS crews. He just doesn't understand why someone can't be paid overtime to cover a shift for the prices they charge for transport. Robert Nichols is very sad about the Section 8 housing that is in his neighborhood. He does not feel that their inspectors are properly doing their jobs and are letting people move into homes that are not up to code standards. He and the neighbors in that area try to maintain a nice community and they will not stand for these types of run down homes to be in their neighborhood. Bruce Brewer is the President of the Vassar Park Neighborhood Association and he also has been experiencing problems with the Ridgewood Castle Apartments. He has made a couple of appointments with the management and they have cancelled all of them. The area is just rampant with drugs and now cars are being broken into, downspouts are being taken off homes, etc. It has taken him up to 10 days to get calls back from the Police Dept and he just feels the area has become lawless. The neighbors are connected to a mass email system for communication and they are not going away.

INFORMAL RESOLUTIONS:

#22. WEST, THOMAS, WARD 2 CNCL MBR: REQ TO RELOCATE ALL ITEMS FROM THE ZOO/LAY AREA IN NIMISILLA PARK FOR RECREATIONAL PURPOSES. - ADOPTED

COMMUNICATIONS:

256. CNCL-AS-A-WHOLE: AMEND O#245/2010 FOR SUPP APPROP & APPROP TRANSFERS LISTED IN EXHIBIT A. - FINANCE COMMITTEE

257. ECONOMIC DEV DIRECTOR TORRES: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT W/CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE GRANT UTILIZING CDBG GRANT FUNDS IN AMT NOT TO EXCEED \$175,000.00 FOR COMPREHENSIVE ECONOMIC AND DOWNTOWN DEVELOPMENT PROG FROM 1/1/11 - 12/31/11. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

258. HEALTH BENEFITS ADMIN MCBRIDE: MONTHLY COMPARATIVE RPT - INSURANCE CLAIMS FOR JUNE 2011. - RECEIVED & FILED

259. HEALTH COMMISSIONERS ADAMS: REP APPROP OF \$158,000.00 FROM 2323 PERSONAL RESPONSIBILITY EDUCATION PROG TO 2323 PERSONAL RESPONSIBILITY EDUCATION PROG - PERSONNEL OF \$85,692.33 AND 2323 PERSONAL RESPONSIBILITY EDUCATION PROG - OTHER OF \$72,307.67. - FINANCE COMMITTEE

260. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D1 D3 LIQ PERMIT FOR DONALD E CHARNETZKY @ 1757 CLEVELAND AVE SW & PATIO. - RECEIVED & FILED

261. MAYOR WILLIAM HEALY: REQ AMENDMENT TO O#100/2011 FOR ADJUSTMENTS OF EXHIBITS A AND B FOR 8 POSITIONS. - PERSONNEL & FINANCE COMMITTEES

262. PLANNING COMMISSION: PROPOSED AMENDMENT TO CITY'S ZONING ORDINANCE INSTITUTING REVISIONS TO FLOOD PLAIN ORDINANCE (SECTION 1132). - JUDICIARY COMMITTEE

263. SAFETY DIRECTOR REAM: AUTHORIZE SAF DIR TO ACCEPT FUNDS FOR EMS GRANT-PRIORITY 1 (TRAINING & EQUIPMENT) AWARDED TO CANTON FIRE DEPT FROM OHIO EMS BOARD IN AMT OF \$3,000.00. - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

264. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT FOR PURCHASE OF 3 ACRE TRACT ADJACENT TO MALLONN PARK; ESTABLISH FAIR MARKET VALUE OF \$11,300.00; ESTABLISH PURCHASE PRICE W/MINERAL RIGHTS OF \$11,300.00; ENTER INTO AGMT FOR PURCHASE W/OWNER, DOROTHY E VEIRS; AUTHORIZE MAYOR AND/OR SERV DIR TO RECV FUND IN AMT OF \$12,062.00 FROM CLEAN OHIO CONSERVATION FUND; RESERVE PARCEL FOR PURPOSES INCLUDING PRESERVATION OF WATER, FORESTRY & OTHER NATURAL RESOURCES AS WELL AS PASSIVE RECREATIONAL & EDUCATION ACTIVITIES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
265. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR AND/OR SERV DIR TO ESTABLISH FAIR MARKET VALUE OF PROP IN CONJUNCTION W/NAVARR RD SIGNAL SYSTEM PROJ, G.P. 1127, PID 76007, FOR STANDARD HIGHWAY & TEMPORARY EASEMENTS; AUTHORIZE MAYOR AND/OR SERV DIR TO NEGOTIATE W/PROP OWNERS AND PROCURE SAID EASEMENTS; AUTHORIZE MAYOR AND/OR SERV DIR TO MAKE MINISTERIAL CHANGES TO CORRECT PROP OWNERS NAMES, PARCEL NUMBERS & NUMERICAL DESCRIPTIVE OR TYPOGRAPHICAL ERRORS SHOULD THEY OCCUR. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
266. SERVICE DIRECTOR PRICE: AUTHORIZE AUDITOR TO PAY STANLEY MILLER CONSTRUCTION IN AMT NOT TO EXCEED \$94,594.50 AND BURGESS & NIPL IN AMT NOT TO EXCEED \$34,000.00 FOR REPLACEMENT OF WATER MAIN ON 55TH ST BRIDGE WITH SUPP APPROP PASSED IN O#109/2011. - FINANCE COMMITTEE
267. SERVICE DIRECTOR PRICE: REQ APPRVL OF WATER MAIN EXTENSION TO 1600-30TH ST NE TO SERVICE FOUR LOTS; PROP OWNER (MANJIT KAUR OF CANTON FUEL) WILL BE RESPONSIBLE FOR LABOR & MATERIALS WITH CANTON WATER DEPT INSPECTING INSTALLATION REQUIREMENTS; AFTER 1 YR PERIOD, WATER MAIN WILL BECOME CITY OWNED PROP BUT REVENUES BEGIN IMMEDIATELY UPON CONNECTION. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
268. SERVICE DIRECTOR PRICE: REQ AMEND O#62/2011 PROF AGMT W/M-E COMPANIES AUTHORIZING THEM TO CONDUCT ALL NECESSARY ASPECTS OF EASEMENTS WORK NOT TO EXCEED \$95,560.00; AUTHORIZE SUPP APPROP FROM 5201 WATER FUND \$1,779,953.70 TO 5201 207026 HARTVILLE/LAKE TOWNSHIP WATER MAIN EXT - 75812 OTHER CONTRACTORS OF \$1,684,393.70 AND 70507 ENGINEERING OF \$95,560.00. - FINANCE COMMITTEE
269. SISTERS OF CHARITY FOUNDATION OF CANTON: 2010 ANNUAL REPORT. - RECEIVED & FILED
270. SMUCKLER, BILL, CNCL-AT-LRG: AMEND CHAP 749 OF CANTON'S CODIFIED ORDINANCES REGARDING FEES FOR ITINERANT RETAILERS WITHIN THE SID. - JUDICIARY COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT W/YOUNG MEN'S CHRISTIAN ASSOC (YMCA) TO PROVIDE A GRANT UTILIZING CDBG FUNDS IN AN AMT NOT TO EXCEED \$40,000.00 FOR THE OVERALL MGMT AND SUPERVISION OF THE FACILITY & PROG AT THE EDWARD "PEEL" COLEMAN CTR; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 2. AMEND APPROP O#245/2010; EMERGENCY (\$50,000.00 YOUTH DEVELOPMENT - SUMMER EMPLOYMENT - PERSONNEL)
Referred to Community & Economic Development Committee
- 1ST RDG 3. AMEND APPROP O#245/2010; EMERGENCY (\$50,000.00 COMMUNITY DEVELOPMENT - DEMOLITION - OTHER, BOARD UPS, TITLE SEARCHES, ETC.)
Referred to Community & Economic Development Committee
- 1ST RDG 4. AMEND APPROP O#245/2010; EMERGENCY (\$30,000.00 COMMUNITY DEVELOPMENT - PERSONNEL)
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUE:

- 1ST RDG 5. _____ AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT W/GOODWILL INDUSTRIES OF GREATER CLEVELAND & EAST CENTRAL OHIO, INC. TO PROVIDE AN ECONOMIC DEVELOPMENT GRANT UTILIZING CDBG FUNDS IN AN AMT NOT TO EXCEED \$50,000.00 FOR COMM CAMPUS PROJECT PHASE III FOR THE PURPOSE OF EXPANDING THE CANTON COMMUNITY CLINIC; EMERGENCY
Referred to Community & Economic Development Committee

(COUNCIL RECESSED AT 7:56 P.M. FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #6; RECONVENED AT 7:57 P.M.)

- 118/2011 6. _____ DECLARE 14 BUILDINGS TO BE PUBLIC NUISANCES; AUTHORIZE SAF DIR TO ENTER INTO CONTRACT FOR THE DEMOLITION OF SAID BLDGS; AUTHORIZE CLERK OF COUNCIL TO CERTIFY THE COSTS OF DEMOLITION TO STARK COUNTY AUDITOR; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 7. _____ AMEND APPROP O#245/2010; EMERGENCY (\$406,000.00 WATER FUND; \$9,100.00 SEWER FUND; \$10,600.00 SANITATION FUND)
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#8 - O#16; O#16 ADOPTED ON 2ND RDG)**

- 2ND RDG 8. _____ AUTHORIZE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM BISHOP OF DIOCESE OF YOUNGSTOWN (PART OF LOT 14345 ON 7TH ST NE) (C&ED)
- 2ND RDG 9. _____ AUTHORIZE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM BISHOP OF DIOCESE OF YOUNGSTOWN (PART OF LOT 6289 ON 7TH ST NE) (C&ED)
- 2ND RDG 10. _____ AUTHORIZE ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL ELECTRICITY AGGREGATION PROG W/OPT-OUT PROVISIONS PURSUANT TO ORC SEC 4928.20; DIRECTING STARK COUNTY BD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS; EMERGENCY (JUD & E&PU)
- 2ND RDG 11. _____ AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (RICHARD RODRIQUES, 634 WALKER CT NE) (JUD) **PUB HRG: 8/8/11 @ 7:30 PM**
- 2ND RDG 12. _____ AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (LAVERNE DALE, 3745 KIRBY AVENUE NE) (JUD) **PUB HRG: 8/8/11 @ 7:31 PM**
- 2ND RDG 13. _____ AUTHORIZE SERV DIR TO ENTER INTO 3-YR PROF SVCS CONTRACT W/WARWICK COMMUNICATIONS, INC IN AN AMOUNT NOT TO EXCEED \$37,020.00 FOR ONGOING SUPPORT & MAINTENANCE OF THE CITY-WIDE TOSHIBA TELEPHONE SYSTEM; EMERGENCY (PPCI)
- 2ND RDG 14. _____ ADOPTING THE CITY'S ALTERNATE TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012; EMERGENCY (FIN)
- 2ND RDG 15. _____ AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A CONSULTANT CONTRACT WITH W.E. QUICKSALL AND ASSOC, INC FOR THE ORCHARD VIEW/ARGYLE-ARGYLE/HEDGEROSE INTERSECTION IMPROVEMENT PROJ GP 1110; AMEND APPROP O#245/2010; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO COOP AGMTS W/OTHER PROJ STAKEHOLDERS; EMERGENCY (PPCI)
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- 119/2011 16. _____ AUTHORIZE MAYOR TO ENTER INTO A JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT W/JACKSON TOWNSHIP; EMERGENCY (C&ED)

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

- 120/2011 17. _____ DECLARE WEEK OF JULY 25 - 29, 2011 AMNESTY WEEK FOR ANY PERSON WITH UNPAID PARKING TICKETS; EMERGENCY
- 121/2011 18. _____ AUTHORIZE SAF DIR TO ACCEPT FIRE DEPT TRAINING & EQUIPMENT GRANT IN AMT NOT TO EXCEED \$3,250.00; AMEND APPROP O#245/2010; EMERGENCY
- 122/2011 19. _____ AUTHORIZE AUDITOR TO PAY \$6,650.00 TO SOUTHWAY FENCE CO.; EMERGENCY (IMPOUND LOT)
- 123/2011 20. _____ AMEND EXHIBIT A TO O#40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (PROBATIONARY POLICE OFFICERS)
- 124/2011 21. _____ AUTHORIZE SERV DIR TO ENTER INTO A ONE YR SUPPORT CONTRACT W/THE JAMES GROUP IN AMT NOT TO EXCEED \$38,022.22 FOR ONGOING SUPPORT & MAINTENANCE OF THE CITY'S ORACLE SOFTWARE LICENSES PURSUANT TO O.R.C. SECTION 125.04; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, AUGUST 8, 2011 in Council Chamber at 6:15 P.M.

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

MISCELLANEOUS BUSINESS: Member Cirelli asking how some residents can have dumpsters sitting on their property for long periods of time while they are full. Is there any rules that provide a time frame? Jason Reese will see if there is a time period for these or will be happy to help her establish an Ordinance for a time frame if she would like. Member Cirelli was upset that she was solicited by a gas supplier that she is not a customer with. Since she is on a Do Not Call list she asks how they would have a right to contact her. Jason Reese is not sure of the Do Not Call list regulations but thinks because the city is a part of a gas aggregate program, this gives them the right to call customers. President Schulman has been on both sides of incidents with the Police Department. He was commenting on all of the out of town emails that have come in regarding an issue with one of the officers and wanted to be on record stating that these people do not know our city or our people. The laws that allow people to carry concealed weapons in areas that are already filled with crimes such as drugs and prostitution will only lead to more problems and possible death of an officer or a citizen.

ADJOURNMENT: 8:23 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 8, 2011 @ 7:30 PM