

FINAL
AGENDA
7:30 PM

CANTON CITY COUNCIL

AUGUST 22, 2011

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Thomas West, Ward 2 Council Member

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#7 - O#20; O#7, O#13 & O#14 Adopted on 2nd Rdg; Communication #289 Withdrawn)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): Reviewed Pending Issues from Public Speaks

PUBLIC SPEAKS (CITY BUSINESS): Dick Drake is a certified arborist that subcontracts for Canton. He read a paper about an urban forest and is concerned about the many flaws in the tree Ordinance. If the utility company is going to be allowed to trim trees they need to stop mutilating them or cut them down completely. He suggested that tree trimmers cut down some of the dead trees in town to show their experience to get a license in the city. Sally Batsch is concerned about the property at 2512 8th Street NW. She did not receive a call back from the Mayor's office or her Councilman for quite some time and doesn't feel that the officials are doing their jobs. She can't use her porch because of the trash and bugs at this property. She is sick and tired that nothing is being done and she has been a city resident for 70 years. Cindy Knight lives on Columbus NW behind the 8th Street NW property. She feels that her daughter and family members are at risk because of the bugs and trash at this home. She is afraid to let her child go out and play after the recent shootings in the neighborhood and states that it is not fair to have the people in rental properties who don't care about the city, taking over the town. Timothy Gissiner continues to report items in Ward 8 such as littering, damage from a lawn crew and a neighbor who wants to knock him out. Jim Adams is appreciative of the continued support for the Health Department from Council. He referred to an article in the paper saying the per capita for public health care is \$93.63 and after calculating Jim gives this figures as \$40.60 per person. Canton manages 7 large grant programs that are used throughout Stark County so this may be where the discrepancy of the figures comes in. Canton also has the 2 largest hospitals in the county. Jim is trying to establish a multi year strategic plan for public health care.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

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| 288. | CANTON FIRE DEPARTMENT: | REVISED 2010 ANNUAL REPORT. - RECEIVED & FILED |
| 289. | COURT ADMIN KOCHERA: | REQ LEGISLATION FOR MUNI COURT TO ENTER INTO PROF SVC CONTRACT W/PROTECH SECURITY SYSTEMS FOR PURCHASE, INSTALLATION, INTEGRATION & TRAINING ON EXPANDED CLOSED-CIRCUIT TV SYSTEM IN AMT NOT TO EXCEED \$33,572.55. - WITHDRAWN |
| 290. | LIQUOR CONTROL DIVISION (OHIO): | REQ NEW D1 PERMIT FOR DIPIETRO ENTERPRISES NO 1 INC DBA PIZZA OVEN @ 3153 W TUSCARAWAS ST. - RECEIVED & FILED |
| 291. | LIQUOR CONTROL DIVISION (OHIO): | REQ NEW D1 PERMIT FOR CANTON WOMANS CLUB INC 1 ST & 2 ND FLS & BSMT @ 822 MARKET AVE NORTH. - RECEIVED & FILED |
| 292. | MAYOR WILLIAM HEALY: | REQ AUTHORIZATION FOR MAYOR AND/OR SAF DIR TO ENTER INTO AGMT FOR LEASE OF PARKING PLACES AT THE CITY'S CORNERSTONE PARKING DECK W/AREF CANTON LP. - FINANCE COMMITTEE |
| 293. | SERVICE DIRECTOR PRICE: | REQ LEGISLATION TO AUTHORIZE THE MAYOR AND/OR SERV DIR TO CONVEY PARCEL OF LAND, WITHOUT COMPETITIVE BIDDING FOR URBAN REDEVELOPMENT OR URBAN RENEWAL TO STARK COUNTY COMMISSIONERS (25' STRIP UNDER FRANK T BOW BLDG). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE |
| 294. | SERVICE DIRECTOR PRICE: | SUBMIT LIST OF DELINQUENT WATER AND SEWER CHARGES FOR CERTIFICATION TO STARK COUNTY AUDITOR ON PROP TAX ASSESSMENTS. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE |
| 295. | SERVICE DIRECTOR PRICE: | REQ LEGISLATION TO AUTHORIZE THE MAYOR AND/OR SERV DIR TO ENTER INTO A MUTUAL AGMT W/BOARD OF COUNTY COMMISSIONERS OF STARK COUNTY FOR APPLICATION TO OPWC AS JOINT SPONSOR & ALSO COMPLETION OF THE 55 TH ST WATER WORK PROJ. - FINANCE COMMITTEE |

COMMUNICATIONS CONTINUED:

296. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION FOR MAYOR AND/OR SERV DIR TO ENTER INTO CONSULTANT CONTRACT W/HAMMONTREE & ASSOC FOR ALLENFORD EMERGENCY SANITARY SEWER STABILIZATION PROJ, G.P. 1114; AUTHORIZE MAYOR AND/OR SERV DIR TO SOLICIT QUOTES FROM CONTRACTORS TO PROCEED WITH WORK AS SOON AS PLANS ARE AVAILABLE & ENTER INTO CONTRACT FOR SUCH WORK; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO COOP AGMT W/COUNTY AND NORTH CANTON TO REIMBURSE CANTON FOR PORTION OF WORK ATTRIBUTABLE TO THESE ENTITIES; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT W/USACE AND/OR OHIO PUBLIC WORKS COMMISSION FOR BOTH TECHNICAL & FINANCIAL ASSISTANCE AS REQUIRED; AUTHORIZE AUDITOR TO DRAW WARRANTS AND MAKE PAYMENTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
297. SERVICE DIRECTOR PRICE: REQ LEGISLATION FOR MAYOR AND/OR SERV DIR TO APPLY FOR, ENTER INTO CONTRACT FOR & RECV FUNDS FOR OHIO PUBLIC WORKS COMMISSION 2012 PROG YR. - FINANCE COMMITTEE
298. SERVICE DIRECTOR PRICE: NOTIFICATION THAT THE CITY WILL NOT BE ENTERING INTO A PLA FOR THE 2011 CITY PAVING PROG, G.P. 1152. - RECEIVED & FILED
299. SERVICE DIRECTOR PRICE: REQ LEGISLATION ALLOWING CITY TO REIMBURSE PLAIN TOWNSHIP \$60,500.03 FOR 25TH ST NE STORM SEWER PROJ GP 1090 COMPLETED IN 2010 & MAKE SUPP APPROP OF SAME AMOUNT. - FINANCE COMMITTEE
300. SERVICE DIRECTOR PRICE: REQ LEGISLATION TO ENTER INTO LOCAL PUBLIC AGENCY (LPA) AGMTS W/OHIO DEPT OF TRANSPORTATION FOR VARIOUS TRANSPORTATION INFRASTRUCTURE PROJECTS ALLOWING THE CITY TO RECV STATE & FEDERAL TRANSPORTATION FUND FOR DESIGN & CONSTRUCTION OF MAHONING RD BUS RAPID TRANSIT CORRIDOR PROJ, GP'S 1098, 1103 & 1153; 12TH ST NW BRIDGE REPLACEMENT & STREETScape PROJ, GP 1160; 11TH ST SE STREETScape & ROADWAY ALIGNMENT PROJ, GP 1144; 3RD ST SE BRIDGE REHABILITATION PROJ, GP 1167. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND PUBLIC SAFETY & THOROUGHFARES COMMITTEES
301. SERVICE DIRECTOR PRICE: REQ LEGISLATION TO AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONSULTANT CONTRACT BETWEEN CITY AND COOPER & ASSOC FOR HAMILTON AVE SEWER PROJ, GP 1168; MAKE \$45,000.00 APPROP TRANSFER FROM 2211-506001 COMM DEV ADMIN TO 2211-202089 COMM DEV - HAMILTON AVE STORM SEWER PROJ GP 1168; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
302. SUMMA HEALTH SYSTEM: SUBMIT HEALTHCARE REFORM POLICY POSITION STATEMENTS. - RECEIVED & FILED
303. WEST, THOMAS, WARD 2 CNCL MBR: REQ LEGISLATION TO ESTABLISH FUND FOR NIMISILLA PARK REVENUES. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND CHAPTER 917, TREES, OF CODIFIED ORDINANCES OF CITY OF CANTON
Referred to Judiciary Committee
- 1ST RDG 2. AMEND CHAPTER 749, ITINERANT RETAILERS, OF CODIFIED ORDINANCES OF CITY OF CANTON
Referred to Judiciary Committee
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- 1ST RDG 3. AMEND APPROP O#245/2010, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROP & APPROP TRANSFERS HEREIN DESCRIBED (EXHIBIT A - VARIOUS 16 FUNDS)
Referred to Finance Committee
- 1ST RDG 4. AMEND SECTION 947.20, RATES FOR OUTSIDE CITY USERS, OF CODIFIED ORDINANCES OF CITY OF CANTON
Referred to Judiciary Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 5. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/BOBCAT COMPANY IN AMT NOT TO EXCEED \$57,978.92 FOR PURCHASE OF ONE COMPACT EXCAVATOR, MODEL E80 PURSUANT TO O.R.C. SECTION 125.04; EMERGENCY
Referred to Finance & Public Property Capital Improvement Committees
- 1ST RDG 6. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES; EMERGENCY
Referred to Environmental and Public Utilities Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#7 - O#20; O#7, O#13 & O#14 ADOPTED)**

- 135/2011 7. AMEND O#72/2011; EMERGENCY (AMENDING THE EFFECTIVE DATE) (C&ED)
- 2ND RDG 8. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS THE ARMORY ANNEXATION AREA CONTAINING APPROX 1.368 ACRES; ASSIGNING SAID TERRITORY TO WARD 1; ZONING SAID TERRITORY AS PB-1 (PLANNED OFFICE BUSINESS); EMERGENCY (ANNEX)
PUB HRG 9/12/11 @ 7:30 PM
- 2ND RDG 9. AMEND CHAPTER 1132, FLOOD HAZARD (FH) DISTRICT OF CODIFIED ORDINANCES; EMERGENCY (JUD)
PUB HRG 9/12/11 @ 7:31 PM
- 2ND RDG 10. AUTHORIZE SERV DIR TO ENTER INTO A FIVE YEAR CONTRACT W/GREENER CORNERS LLC FOR PURPOSE OF INSTALLING RECYCLING RECEPTACLES ON CITY OWNED PROP; EMERGENCY (FIN)
- 2ND RDG 11. AMEND APPROP O#245/2010, AS AMENDED, BY MAKING \$870,000.00 SUPP APPROP; EMERGENCY (POLICE & FIRE PERSONAL SVCS) (FIN)
- 2ND RDG 12. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT W/CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE A GRANT IN AMT NOT TO EXCEED \$175,000.00 FOR COMPREHENSIVE ECONOMIC & DOWNTOWN DEV PROG; EMERGENCY (C&ED)
- 136/2011 13. CHANGING THE FUND TITLE 2323 RYAN WHITE GRANT FUND; AMEND APPROP O#245/2010 BY MAKING \$158,000.00 SUPP APPROP; EMERGENCY (FIN)
- 137/2011 14. AMEND O#100/2011, CLASSIFICATION PLAN & SALARIES FOR ALL MGMT & NON-BARGAINING UNIT EMPLOYEES; EMERGENCY (MAYOR'S CABINET/POLICE/FIRE CHIEFS) (PER & FIN)
- 2ND RDG 15. AUTHORIZE SAF DIR TO ACCEPT GRANT FROM THE OHIO DEPT OF PUB SAF IN AMT NOT TO EXCEED \$3,000.00; AMEND APPROP O#245/2010; EMERGENCY (FIN)
- 2ND RDG 16. ESTABLISH FAIR MKT VALUE OF REAL PROP; ESTABLISH PURCHASE PRICE OF PARCEL INCLUDING MINERAL RIGHTS OF \$11,300.00; AUTHORIZE SERV DIR TO ENTER INTO AGMT FOR PURCHASE OF SAID PARCEL; AUTHORIZE MAYOR &/OR SVC DIR TO APPLY FOR, ENTER INTO AGMT & RECEIVE FUNDS IN AMT OF \$12,062.00 FROM CLEAN OH CONSERVATION FUND; RESERVE PROP FOR PURPOSES OF PRESERVATION OF WATER FORESTRY & OTHER NATURAL RESOURCES; EMERGENCY (MALLONN PARK) (FIN)
- 2ND RDG 17. ESTABLISH FAIR MKT VALUE OF EASEMENTS IN REAL PROP; AUTHORIZE MAYOR OR SERV DIR TO NEGOTIATE & ACQUIRE EASEMENTS; EMERGENCY (NAVARRE ROAD SIGNAL SYSTEM PROJ)
(E&PU)
- 2ND RDG 18. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$94,594.50 TO STANLEY MILLER CONSTRUCTION & \$34,000.00 TO BURGESS & NIPLE; EMERGENCY (FIN)
- 2ND RDG 19. APPROVE A CANTON CITY WATER MAIN EXTENSION TO PLAIN TWNP; AUTHORIZE SERV DIR TO ENTER INTO CONTRACT FOR EXTENSION OF SAID WATER MAIN; EMERGENCY (E&PU)
- 2ND RDG 20. AUTHORIZE SERV DIR TO ENTER INTO AN AMENDED CONTRACT WITH M-E COMPANIES FOR ADDT'L AMT NOT TO EXCEED \$95,560.00 FOR EASEMENT WORK; AMENDING APPROP O#245/2010 BY MAKING \$1,779,953.70; EMERGENCY (FIN)

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

- 138/2011 21. 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
- 139/2011 22. AMEND APPROP O#245/2010; EMERGENCY (\$50,000.00 COMMUNITY DEVELOPMENT - DEMOLITION - OTHER, BOARD UPS, TITLE SEARCHES, ETC.)
- 140/2011 23. AMEND APPROP O#245/2010; EMERGENCY (\$30,000.00 COMMUNITY DEVELOPMENT - PERSONNEL)
- 141/2011 24. AMEND APPROP O#245/2010; EMERGENCY (\$406,000.00 WATER FUND; \$9,100.00 SEWER FUND; \$10,600.00 SANITATION FUND)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, SEPTEMBER 12, 2011 in Council Chamber at 6:00 P.M.**

- 1) Finance Committee
- 2) Judiciary Committee
- 3) Environmental & Public Utilities Committee
- 4) Public Property Capital Improvement Committee

MISCELLANEOUS BUSINESS: Member Cirelli received a report from the County Auditor for all of the assessment liens to be charged to property taxes and wants to know why the list from the county does not match the list provided in Communication #294. Service Director Price will review the list with Member Cirelli. Member Smuckler wants to know how many home owners have been cited for high grass in the city and asks if Council can finally publish the names where the grass has not been mowed. This is way out of control and they shouldn't be using the city's resources for their use. Law Director Martuccio says that these can be published but that all information should be verified accurate and that is should be limited to the top 10 or 15 offenders. Member Hawk addressing the problem at 2512 8th St NW and telling all that the lawyer for the owner has already been in contact with him. Service Director Price reading the information from the city complaint system on the 8th Street property indicating this process was started on 8/9/11. The property owner was to meet with Angela Cavanaugh, Chief Building Official on August 23, 2011 to see about resolving some of the issues. Mayor Healy thanked both Ms. Batsch and Mr. Gissiner for coming out to share their problems. He was not aware of this property before today and will verify why it was not brought up the ladder to his attention sooner.

ADJOURNMENT: 8:37 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, SEPTEMBER 12, 2011 @ 7:30 PM