

ROLL CALL: All Council Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Patrick Barton, Ward 7 Council Member

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#2 - O#13; O#14 Postponed until 10/3/11)

PUBLIC HEARINGS: None

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

PUBLIC SPEAKS (CITY BUSINESS): Sally Batsch re: Discussed her complaints to the City about 2512 8th St NW and her conversation with the landlord of the property. Also wanted to publically thank Members Hawk, Smuckler and Cirelli for their assistance with this property; Walter Moss re: Discussed the young man that was recently killed and relayed that he would like to see the City planning for jobs for our youth for next year. He also would like to see a youth summit and a buy back program to buy back guns; Rebecca Bors re: Feels that the vendors are taking business away from her employer, Arcadia; Lisa Weselek & Leann Macri re: Owners of Primo's and does not feel that \$250.00 per day for the itinerant vendors is unreasonable because that's what it costs to open their doors everyday. Also proposes that the City and the Chamber offer local restaurateurs discounts; Philip DeChellis re: As a restaurant owner, he feels that the fee in the itinerant vendor legislation is minimal; Cathy Wyatt re: Owner of Carpe Diem and would like to feel like the City has her back; Ida Ross Freeman re: Is a vendor and feels that the fee of \$250.00 per day is too much for people who sell crafts or art work; Josh Shory re: Owner of Lucca and has invested all of his money in his business and feels that the vendors would be okay if we had a bigger City with many more people; Jim Haavisto re: Is a vendor with a hot dog cart and feels that Canton should be looked at as a market place and accommodate the consumer. Asked the City to be fair and he will pay his fair share; Dan Phillips re: As a vendor would like the opportunity to come downtown without losing money. He is trying to make the City stronger; Michael Gill re: Feels that the itinerant vendor legislation is very straight forward that gives the City the ability to provide vendor licenses and also protects our retailers in downtown.

INFORMAL RESOLUTIONS:

27. COUNCIL AS A WHOLE: CONGRATULATING & COMMENDING GOODWILL INDUSTRIES OF GREATER CLEVELAND & EAST CENTRAL OHIO, INC FOR PROVIDING A VARIETY OF SVCS & REACHING OUT INTO THE COMMUNITY TO TOUCH THE LIVES OF THOSE IN NEED. - ADOPTED

COMMUNICATIONS:

334. AUDITOR MALLONN: REQUEST FOR ADDT'L AMENDED CERTIFICATE DATED 9/14/11. - RECEIVED & FILED
335. CANTON POLICE DEPT: 2010 ANNUAL REPORT. - RECEIVED & FILED
336. COMMUNITY DEV & PLANNING DIR WILLIAMS: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO FUNDING AGMT W/JR COLEMAN UTILIZING CDBG FUNDS IN AMT OF \$145,000.00 TO PROVIDE FACADE & STREETScape IMPROVEMENTS ALONG THE MAHONING RD CORRIDOR. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
337. DEPT OF COMMERCE: NOTICE OF HRG ON 10/7/11 @1:00 PM AT STARK COUNTY JOB & FAMILY SVCS FOR TRANSFER OF OWNERSHIP FOR FRAMES TAVERN I, LLC 1ST FLOOR & BASEMENT @ 1600 BRYAN AVE SW. - RECEIVED & FILED
338. HENSLEY, L. B. & STEWART, R. P, APPLICANTS: APPLICATION FOR ZONE CHANGE @ 1120 15TH ST NW FROM R-1a (SINGLE FAMILY) TO PCS (PLANNED COMMUNITY SPACE) TO PROVIDE MEDICAL, SOCIAL & HEALTH & WELLNESS SERVICES TO RESIDENTS IN IMMEDIATE & SURROUNDING AREAS. (FORMER LEHMAN SCHOOL IN WARD 1). - PLANNING COMMISSION
339. LIQUOR CONTROL DIVISION: REQ NEW D1 LIQ PERMIT FOR DIPIETRO ENTERPRISES NO 1 INC DBA PIZZA OVEN @ 3201 W TUSCARAWAS ST. - RECEIVED & FILED
340. LIQUOR CONTROL DIVISION: REQ TRANSFER OF C1 C2 LIQ PERMIT FROM AHN INC DBA STORE TO ASHI INC DBA SAV WAY MART @ 1105 W TUSC. - RECEIVED & FILED
341. LIQUOR CONTROL DIVISION: REQ NEW C1 C2 LIQ PERMIT FOR HILL MINI MART LLC DBA SHORB DRIVE THRU @ 829 12TH ST NW. - RECEIVED & FILED
342. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR PURCHASE OF ONE TON REFUSE PACKER, ONE 4X4 - 3/4 TON PICKUP TRUCK W/PLOW, & ONE TON DUMP TRUCK FOR PARK DEPT; REQ ALTERNATIVELY TO ENTER INTO CONTRACT FOR PURCHASE OF SAID VEHICLES. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

COMMUNICATIONS CONTINUED:

343. SERVICE DIRECTOR PRICE: DUE TO AN ADMIN CLERK @ WATER REC FACILITY RETURNING FROM ACTIVE DUTY FOR THE US ARMY RESERVE COMMAND & THE NEED FOR AN ADDT'L ADMIN CLERK, REQUEST THAT THE BARGAINING UNIT CLASS PLAN BE AMENDED TO INCREASE NUMBER OF EMPLOYEES ALLOWED IN THE CLASSIFICATION ADMIN CLERK FROM 1 TO 2 & ADD QUALIFYING LANGUAGE TO REVERT NUMBER OF EMPLOYEES ALLOWED IN THE CLASSIFICATION BACK TO 1 WHEN EITHER EMPLOYEE VACATE THE POSITION; REQ THE NAME OF THE POSITION GROUP BE UPDATED TO WATER RECLAMATION FACILITY TO REFLECT NAME CHANGE APPROVED IN 2008. - PERSONNEL COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE SERV DIR TO SELL THE CURRENT BASKETBALL FLOOR & BACKBOARD UNITS @ THE CIVIC CENTER BY SEALED BID OR PUBLIC AUCTION; EMERGENCY
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#2 - O#13)**

- 2ND RDG 2. AUTHORIZE THE AUDITOR TO ESTABLISH THE 2531 NIMISILLA PARK FUND (FIN)
- 2ND RDG 3. AUTHORIZE MAYOR AND/OR SERV DIR TO AMEND THE GEORGETOWN RD COOP ECONOMIC DEVELOPMENT AGMT (CEDA) TO INCLUDE THE BROAD AVE ANNEXATION AREA; EMERGENCY
(ANNEX)
- 2ND RDG 4. AMEND APPROP O# 245/2010, AS AMENDED, BY MAKING VARIOUS SUPP APPROP AND APPROP TRANSFERS; EMERGENCY (FOR CITY'S CONTINUING OPERATIONS) (FIN)
- 2ND RDG 5. AMEND APPROP O#245/2010; EMERGENCY (HEALTH DEPT) (FIN)
- 2ND RDG 6. AMEND APPROP O# 245/2010, AS AMENDED, BY MAKING \$10,000.00 SUPP APPROP FROM 1001 GENERAL FUND TO 1001 60-20-01 COUNCIL CITY STREET VACATE EXPENSE - OTHER; EMERGENCY
(FIN & JUD)
- 2ND RDG 7. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A COOP AGMT WITH AKRON METRO FOR CONSTRUCTION OF WEST SIDE PARKS TRAIL PROJ, GP 1093; EMERGENCY (PS&T)
- 2ND RDG 8. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A COOP AGMT WITH AKRON METRO FOR CONSTRUCTION OF WEST SIDE INTERCEPTOR SANITARY SEWER REHABILITATION PROJ, GP 1138; EMERGENCY (PS&T)
- 2ND RDG 9. AUTHORIZE MAYOR TO ENTER INTO CONTRACT WITH OHIO DEPT OF TRANSPORTATION FOR UPGRADING OF INTERSECTIONS; EMERGENCY (NAVARRE RD SIGNAL SYSTEM) (PS&T)
- 2ND RDG 10. AUTHORIZE & CONSENT TO REPAIR OF THE BRIDGE ON OFF RAMP FROM EASTBOUND US 62 TO NORTHBOUND I77 OVER I77; EMERGENCY (PS&T)
- 2ND RDG 11. AUTHORIZE & CONSENT TO RESURFACE US 30 FROM SR 43 TO EASTERN CORP LINE WITH MISCELLANEOUS BRIDGE WORK WITHIN CITY OF CANTON; EMERGENCY (PS&T)
- 2ND RDG 12. AUTHORIZE AUDITOR TO PAY \$36,950.00 TO BELL EQUIPMENT CO; EMERGENCY (FIN)
- 2ND RDG 13. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT WITH OHIO POWER CO TO PROVIDE ELECTRIC ENERGY TO THE N.E. WATER TREATMENT PLANT; EMERGENCY (E&PU)

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

- 10/3/11 14. AMEND CHAPTER 749, ITINERANT RETAILERS, OF CODIFIED ORDINANCES OF CITY OF CANTON
- 159/2011 15. AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO LEASE AGMT W/AREF CANTON LP FOR PURPOSE OF UTILIZING CITY OWNED PARKING SPACE; EMERGENCY
- 160/2011 16. AUTHORIZE MAYOR &/OR SERV DIR TO CONVEY A 25 FOOT STRIP OF LAND TO THE BD OF STARK CNTY COMMISSIONERS; EMERGENCY (FRANK T. BOW BLDG)
- 161/2011 17. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO MUTUAL AGMT(S) W/STARK COUNTY BD OF COMMISSIONERS NECESSARY FOR THE APPLICATION TO OPWC AS A JOINT SPONSOR & FOR COMPLETION OF THE 55TH ST WATER WORK PROJ; EMERGENCY
- 162/2011 18. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A CONSULTANT CONTRACT W/HAMMONTREE & ASSOC FOR THE ALLENFORD EMERGENCY SANITARY SEWER STABILIZATION & REHAB PROJ TO SOLICIT QUOTES FROM CONTRACTORS, TO EXPEDITIOUSLY AUTHORIZE THE WORK, TO ENTER INTO COOP AGMTS W/STARK CTY & CITY OF NORTH CANTON TO REIMBURSE CANTON FOR A PORTION OF THE WORK, TO ENTER INTO AGMTS W/THE USACE &/OR THE OHIO PUBLIC WORKS COMMISSION FOR BOTH TECHNICAL & FINANCIAL ASST; EMERGENCY
- 163/2011 19. AUTHORIZE MAYOR &/OR SERV DIR TO APPLY FOR, ENTER INTO AGMTS & ACCEPT FUNDS FOR 2012 PROG YR FROM THE OHIO PUBLIC WORKS COMMISSION; EMERGENCY

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

164/2011 20. ___ AUTHORIZE AUDITOR TO REIMBURSE PLAIN TWP \$60,500.03; AMEND APPROP O#245/2010; EMERGENCY (PART OF THE 25TH ST NE STORM SEWER PROJ GP 1090 DESIGN WORK)

165/2011 21. ___ AUTHORIZE SERV DIR TO ENTER INTO LOCAL PUBLIC AGENCY AGMTS W/THE OHIO DEPT OF TRANSPORTATION FOR LOCAL TRANSPORTATION INFRASTRUCTURE PROJECTS; EMERGENCY

166/2011 22. ___ AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONSULTANT CONTRACT W/COOPER & ASSOCIATES FOR THE HAMILTON AVE STORM SEWER PROJ; AMEND APPROP O#245/2010 BY MAKING \$45,000.00 APPROP TRANSFER; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**WEDNESDAY, SEPTEMBER 28, 2011 in Council Chamber at 5:00 P.M.**

- 1) Meeting to discuss the Itinerant Vendor legislation

MONDAY, OCTOBER 3, 2011 in Council Chamber at 6:55 P.M.

- 1) Public Property Capital Improvement Committee

MISCELLANEOUS BUSINESS: Member Cirelli re: Explained her reason for abstaining on Ordinance #15. Asked Law Director Martuccio about the ability to collect delinquent fees for sewer, water and demos from landlords with "for the benefit of, IRA" behind their names on the County Auditor's website; Law Director Martuccio re: Advised that this is a trust and believes that trusts are subject to being billed for obligations that are legally incurred and the Law Department is willing to look at those that are outstanding and large that are worth the investment and the time and the efforts; Member Cirelli re: Asked Law Director about collecting monies from property owners that have delinquent fire accounts; Law Director Martuccio re: Advised that probably not without some significant changes; Member Hawk re: Discussed Reverend Moss' public speaks and the crime in the City's streets. Also would like to see the Chief and Safety Director to sit down, look at and fund some kind of gun interdiction program; Member West re: Echoed Member Hawk's statements and relayed that tonight's speakers stuck a chord in him, especially those that are starting a new business; President Schulman re: Spoke briefly on the itinerant vendor legislation and reminded everyone that this only applies to the Special Improvement District where the City has invested a lot of money. Also addressed Member Hawk's Miscellaneous Business statements and shares his concerns.

ADJOURNMENT: 9:01 PM _____

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 3, 2011 @ 7:30 PM