

ROLL CALL: All Council Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: David Dougherty, Majority Leader

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#6 - O#13; Ordinance #5 Adopted on 1st Rdg; O#13 Adopted on 2nd Rdg; O#14 Referred back to Committee; O#15 Adopted as Amended)

PUBLIC HEARINGS: None

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

PUBLIC SPEAKS (CITY BUSINESS): Jim Havisto asked Council to reconsider the legislation for Itinerant retailers because the fees are still outrageous and the locations available are just too restrictive. He would be bringing his cart here on both sunny and rainy days if the permits were not so steep. His market is not against sit down restaurants only the fast food chains and he does not feel he would put McDonalds out of business. This legislation hurts the image of Canton. Jennifer Lewis provided the definition of courage and made a plea to all candidates and elected officials to serve because they care about the people. The people in neighborhoods are being terrorized by the few among them that are in gangs, deal drugs and shoot at one another. She also took time to thank some Police officers for their special help towards her neighborhood and her family. Richard Johnson wonders how the police decide which calls to come out to and which not to respond to. He called the Police Department on Monday morning because he found 5 bullet holes in his vehicle and was given a claim number but told that no one would be out to investigate. Later in the day, he was informed that a man on the next street was shot 5 times and when he called back to the Police Department they still would not come out to check on the scene because he had a claim number.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

- 368. DEPT OF COMMERCE: NOTIFICATION OF CANCELLATION OF HEARING DUE TO OBJECTION BEING WITHDRAWN FOR HILL MINI MART, LLC DBA SHORB DRIVE THRU @ 829 12TH ST NW. - RECEIVED & FILED
- 369. FINANCE DIRECTOR DIRUZZA: REQ AMEND O#245/2010 WITH SUPP APPROP AND APPROP TRANSFERS IN EXHIBIT A FOR CONTINUED OPERATION OF THE CITY. - FINANCE COMMITTEE
- 370. FINANCE DIRECTOR DIRUZZA: REQ AMEND O#245/2010 WITH SUPP APPROP AND INTERFUND TRANSFERS IN EXHIBIT A AND B TO FUND THE MOTOR VEHICLE DEPT TO CONTINUE SERVICE OF CITY VEHICLES. - FINANCE COMMITTEE
- 371. LIQUOR CONTROL DIVISION (OHIO): REQ C2 C2X TRANSFER OF LIQUOR PERMIT FOR DIPIETRO ENTERPRISES NO 1 INC DBA PIZZA OVEN @ 3201 W TUSCARAWAS ST. - RECEIVED & FILED
- 372. MAYOR WILLIAM HEALY: SUBMISSION OF FINAL MEMBER LIST OF CANTON ENTREPRENEUR LAUNCH COMMISSION. - RECEIVED & FILED
- 373. SAFETY DIRECTOR REAM: DECLARE 4 BLDGS UNSAFE, HAZARDOUS & DANGEROUS TO PUBLIC HEALTH, SAFETY & WELFARE CONSTITUTING PUBLIC NUISANCES FOR WHICH DEMOLITION IS REQUIRED. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
- 374. SAFETY DIRECTOR REAM: REQ ACCEPTANCE OF FUNDS FROM 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG PROG) IN AMT OF \$49,600.00 FOR CANTON POLICE DEPT; REQ RENAME OF FUND 2769 FROM 2006 BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TO 2011 BYRNE LOCAL SOLICITATION GRANT FUND; RATIFY ANY AGMT ALREADY ENTERED INTO WITH STARK CNTY COMMISSIONERS REGARDING THIS GRANT. - FINANCE COMMITTEE
- 375. SERVICE DIRECTOR PRICE: AUTHORIZE ODOT TO REPAIR RAFF RD BRIDGE OVER US RT 30 IN CANTON CITY LIMITS AT NO COST TO THE CITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND PUBLIC SAFETY & THOROUGHFARES COMMITTEES
- 376. SERVICE DIRECTOR PRICE: AUTHORIZE TRANSFER OF 1/2 ACRE OF PARCEL #284617 FOR SARTA'S CNG STATION; DETERMINE ANY RESTRICTIONS ON PROPOSED TRANSFER OF PROP & HOW TO BEST COMPLETE THE TRANSFER; RECOMMEND TRANSFER TO CCIC AND THEN FROM CCIC TO SARTA. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE MAYOR TO FILE W/HUD A 2012 CONSOLIDATED ACTION PLAN FOR THE 2012 CDBG, 2012 HOME INVESTMENT PARTNERSHIP & 2012 ESG PROG; RATIFYING SUBMISSION & FILING OF SAID PLAN; AUTHORIZING MAYOR TO EXECUTE GRANT AGMTS W/HUD & ACCEPT FUNDS FOR THE THREE PROGS; EMERGENCY
Referred to Community and Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 2. AMEND APPROP O#245/2010; EMERGENCY (\$6,000.00 2314 CHILD & FAMILY HEALTH FUND)
Referred to Finance Committee
- 1ST RDG 3. AMEND EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, CLASSIFICATION PLAN & SALARIES FOR MGMT & NON-BARG UNIT EMPL OF CITY OF CANTON (LAW DEPT, CRIMINAL & CIVIL DIV)
Referred to Personnel Committee
- 1ST RDG 4. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR THE PURCHASE OF VARIOUS VEHICLES FOR STREET DEPT; AUTHORIZE SERV DIR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO THE STATE COOP PURCHASING AGMT AND/OR OHIO DEPT OF TRANSPORTATION PURCHASING AGMT; EMERGENCY
Referred to Public Property Capital Improvement Committee

(COUNCIL RECESSED AT 7:49 P.M. FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #5; RECONVENED AT 7:51 P.M.)

- 179/2011 5. DECLARE 4 BLDGS TO BE PUBLIC NUISANCES; AUTHORIZE SAF DIR TO ENTER INTO CONTRACT FOR DEMOLITION OF SAID BLDGS; AUTHORIZE CLERK OF CANTON CITY COUNCIL TO CERTIFY THE COSTS OF DEMOLITION TO STARK COUNTY AUDITOR; EMERGENCY
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#6 - O#13)

- 2ND RDG 6. AMEND SECTION 105.06, MINORITY CONTRACT PROVISION, OF THE CODIFIED ORDINANCES OF CITY OF CANTON (JUD)
- 2ND RDG 7. AMEND APPROP O#245/2010 BY MAKING \$16,000.00 SUPP APPROP FROM UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 501101 HUMAN RESOURCES ADMINISTRATION - PERSONNEL; EMERGENCY (FIN)
- 2ND RDG 8. AMEND APPROP O#245/2010 BY MAKING \$110,000.00 SUPP APPROP FROM UNAPPROP BAL OF 2328 PHEP FUND TO 2328 PHEP - OTHER; EMERGENCY (FIN)
- 2ND RDG 9. AUTHORIZE COUNCIL TO ACCEPT \$2,000.00 DONATION FROM WEST PARK NEIGHBORHOOD ASSOC FOR PURCHASE OF TWO SECURITY CAMERAS & ASSOCIATED EXPENSES RELATED TO INSTALLATION OF THE EQUIPMENT; AMEND APPROP O#245/2010 BY MAKING \$2,000.00 SUPP APPROP FROM UNAPPROP BAL OF 2776 POLICE DONATION FUND TO 2776 POLICE DONATION - OTHER; EMERGENCY (FIN)
- 2ND RDG 10. AUTHORIZE MAYOR OR SERV DIR TO FILE AN APP TO THE STATE OF OHIO, DEPT OF DEV, TO SUPPORT AN APP FOR ASSISTANCE UNDER OHIO JOB READY SITES PROG; AUTHORIZE AUDITOR TO ESTABLISH A FUND; EMERGENCY (C&ED)
- 2ND RDG 11. AUTHORIZE SERV DIR TO ENTER INTO 15 YEAR POWER PURCHASING AGMT W/ENER-G SOLUTION PARTNERS FOR THE PURPOSE OF THE INSTALLATION OF SOLAR PANEL FIELDS ON CITY-OWNED PROP; EMERGENCY (E&PU)
- 2ND RDG 12. RESOLUTION ACCEPTING AMTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR (FIN)
- 180/2011 13. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/MERCY MEDICAL CENTER TO PROVIDE A GRANT UTILIZING CDBG FUNDS IN AMT NOT TO EXCEED \$250,000.00; EMERGENCY (C&ED)

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

- TO CMTE** 14. AUTHORIZE THE AUDITOR TO ESTABLISH THE 2531 NIMISILLA PARK FUND

AS AMENDED

- 181/2011 15. AMEND CHAPTER 749, ITINERANT RETAILERS, OF CODIFIED ORDINANCES OF CITY OF CANTON
- 182/2011 16. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A FUNDING AGMT W/J.R. COLEMAN IN AMT NOT TO EXCEED \$145,000.00 TO PROVIDE FACADE & STREETScape IMPROVEMENTS ALONG THE MAHONING RD CORRIDOR; EMERGENCY
- 183/2011 17. AUTHORIZE SERV DIR TO ADVERTISE; RECV BIDS & ENTER INTO CONTRACT FOR PURCHASE OF VARIOUS VEHICLES FOR THE PARK DEPT; AUTHORIZE SERV DIR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO THE STATE COOP PURCHASING AGMT &/OR OHIO DEPT OF TRANSPORTATION PURCHASING AGMT; EMERGENCY
- 184/2011 18. AMEND EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (ADMIN CLERK - WATER RECLAMATION FACILITY)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, OCTOBER 31, 2011 in Council Chamber at 6:30 P.M.

- 1) Finance Committee
- 2) Personnel Committee
- 3) Community & Economic Development Committee
- 4) Public Property Capital Improvement Committee

MISCELLANEOUS BUSINESS: Member Cirelli thanked the Safety Director and asked that he pass along to the Fire Chief her thanks that they got the correct 10 year lithium battery smoke detectors to pass out. When she became aware that they had more available she went to the Fire Station to get more to distribute and was able to enjoy a meal with the firefighters and was at the station to witness an alarm go off. She praised the firefighters for their professionalism and rapid response in this situation. The original grant for the smoke detectors was to provide these units for homeowners but Member Cirelli would now like to be able to provide these for renters also because all lives should be saved from fire. Since the city cannot guarantee that the landlords provide them in rental properties she feels that anyone should be able to obtain smoke detectors at city Fire Stations. Law Director Martuccio states that if the detectors are presented as a grant or a gift, the city can do anything that meets the minimum code requirements but Council would need to amend the Ordinance to mandate the higher level of detectors be the unit that was provided. Member Cirelli requests that an amendment be created to force this. Safety Director Ream says that landlords must have smoke detectors in every unit according to the IPMC but he will check the requirements for what level of units are required. Member Hawk thanked the Westbrook Park Neighborhood Association for their help in moving the art sculpture to 12th Street and invited all to view it. President Schulman wanted all persons who received the letter from "The Spirit" to know that he does not have a secret uzi and this type of literature just shows the 1st Amendment in action. While he is not bothered by the comments contained in the letter, he would like to know the true author. Member Hawk mentions that he has also seen the letter and feels the man or woman is a coward to not sign their name, after all, the forefathers signed their names to the Constitution that allows this person to state their opinion.

ADJOURNMENT: 8:19 P.M. _____

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 31, 2011 @ 7:30 PM