

**FINAL**  
**A G E N D A**  
7:30 PM

CANTON CITY COUNCIL

FEBRUARY 6, 2012

**ROLL CALL:** All Council Members Present

**MOTION TO EXCUSE MEMBERS:** President Allen Schulman Absent

**INVOCATION:** Mary Cirelli, Council-at-Large

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

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#8 - O#16; RE#14 Divided, Ivan Redinger, Jr - Adopted & Timothy Wedekamm - Defeated; O#23 Adopted as Amended; O#26 Postponed until 2/27/12)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Toby Franks re: Discussed the studies that he prepared regarding cats vs. birds; Steven Silver re: Asked the City to look at an alternative ways to deal with stray or feral cats. Hopes that the City doesn't repeat the same policy as last year; Sharon Garrett re: Relayed that she is in support of the City's Animal Control Ordinance; Joe Thompson re: Expressed his dismay with the changing of his polling location; Jill Kirsch re: Explained the life span of feral cats and the need for spay/neuter; Karen Kirsch re: Stated that she opposes the renewal of the Animal Control Officer's contract and discussed alternatives; Leroy Lynch re: Discussed his retirement from the City and feels that he was treated unfairly as a deaf employee; Joy Wagner re: Discussed wildlife and hotline out of Franklin County. Also urged everyone to attend workshop on TNR on March 10, 2012; Dana Ray re: Discussed the research she did on the feral cats vs. birds; Kathryn Ramsey re: Discussed feral cats and the noises they make that keep her awake at night. Relayed that she is in support of the Animal Control Officer; Vicki Boatright re: Advocated for animals and opposed the renewal of the Animal Control Officer; James Parker re: Thanked Derek Gordon for the published acknowledgment. Also discussed pennants at Central Plaza; Peggy Easterling re: Objects to the trap, neuter, release program and applauds the job that Phil Sedlacko does as Canton's Animal Control Officer; Pete DiGiacomo re: Discussed Ordinance #11 on the Agenda and his feeling that this Ordinance will not solve the problem of criminals with guns; Mike Rukavina re: Expressed his frustration regarding his rentals being broken into and vandalized; Veronica Dickey re: Relayed that the outdoors is the natural habitat for feral cats. Discussed TNR; Denise Doyle re: Relayed that she feels that TNR programs are successful. Also asked why Mr. Sedlacko is awarded the position of Animal Control Officer year after year.

**INFORMAL RESOLUTIONS:**

- |     |                      |   |
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| 11. | COUNCIL AS A WHOLE:  | COMMENDING CHIEF DEAN MCKIMM ON HIS RETIREMENT. - ADOPTED   |
| 12. | PERSONNEL COMMITTEE: | REQ CONFIRMATION OF APPT OF TERRY PRATER TO BOARD OF ZONING APPEALS FROM 1/14/12 - 12/31/14. - ADOPTED  |
| 13. | PERSONNEL COMMITTEE: | REQ CONFIRMATION OF RE-APPTS OF JACK BOLENDER, JR & DAWN DEVINE TO INVESTMENT BOARD RETRO 1/1/12 - 12/31/13. - ADOPTED  |
| 14. | PERSONNEL COMMITTEE: | REQ CONFIRMATION OF RE-APPT OF IVAN REDINGER, JR & TIMOTHY WEDEKAMM TO FAIR HOUSING COMMISSION FROM 2/1/12 - 1/31/17. - IVAN REDINGER, JR - <b>ADOPTED</b> & TIMOTHY WEDEKAMM - <b>DEFEATED</b> |
| 15. | PERSONNEL COMMITTEE: | REQ CONFIRMATION OF APPT OF RYAN BRAHLER TO CANTON CONSTRUCTION BD FROM 2/1/12 - 1/31/15. - ADOPTED   |

**COMMUNICATIONS:**

- |     |   |   |
|-----|---|---|
| 67. | AUDITOR MALLONN:  | MONTHLY RPT BY FUND FOR 1/1/12 - 1/31/12. - RECEIVED & FILED  |
| 68. | AUDITOR MALLONN:  | YEARLY RPT BY FUND FOR 1/1/12 - 1/31/12. - RECEIVED & FILED   |
| 69. | COMM DEV DIRECTOR MILLER:                               | AUTHORIZE DEPT OF DEV TO ENTER INTO CONTRACT W/FREED HOUSING CORP IN AMT NOT TO EXCEED \$100,000.00 IN HOME FUNDS TO PROVIDE GRANT FOR TENANT BASED RENTAL ASST PROG TO BENEFIT LOW TO MODERATE INCOME INDIVIDUALS & FAMILIES IN CITY WHO HAVE BEEN HOMELESS & ARE MAKING TRANSITION FROM SHELTERS TO PERMANENT HOUSING. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE |
| 70. | DOUGHERTY, D, WARD 6 CNCLMBR & WEST, T, WARD 2 CNCLMBR: | REQ LAW DEPT RESEARCH THE POSSIBILITY OF THE BD OF ZONING APPEALS COME BEFORE COUNCIL W/THEIR ZONING ISSUES. - JUDICIARY COMMITTEE  |
| 71. | LIQUOR CONTROL DIVISION (OHIO):                         | REQ D5 LIQ PERMIT TRANSFER FROM MJB ENTERTAINMENT LLC DBA SHIELD TAVERN 1 <sup>ST</sup> FLOOR & BSMT TO TASSELS PUB LLC DBA TASSELS PUB @ 1153 MCKINLEY AVE SW. - RECEIVED & FILED  |

**COMMUNICATIONS CONTINUED:**

72. MAYOR HEALY: AUTHORIZE RE-APPT OF JAMES REINHARD & CHET WARREN TO STARK AREA REGIONAL TRANSIT AUTHORITY FROM 4/1/12 - 3/31/15. - PERSONNEL COMMITTEE
73. SAFETY DIRECTOR REAM: AUTHORIZE TO ENTER INTO LEASE AGMT W/VXI GLOBAL SOLUTIONS FOR PURPOSE OF UTILIZING 60 CITY OWNED PARKING SPACES AT THE MILLENNIUM PARKING GARAGE COMMENCING 3/1/12 - 2/28/13 FOR \$23.00 PER PARKING SPACE PER MONTH. - FINANCE COMMITTEE
74. SAFETY DIRECTOR REAM: REQ TO AMEND O#200/2011 ALLOWING SAF DIR TO ACCEPT ADDT'L \$49,600.00 TO TOTAL \$99,200.00 FROM 2011 EDWARD BYRNE MEMORIAL JUSTICE ASST GRANT ON BEHALF OF CCPD; REQ APPROP OF \$99,200.00. - FINANCE COMMITTEE
75. SERVICE DIRECTOR PRICE: REQ TO ENTER INTO CONTRACT W/CTI ENGINEERS, INC FOR ENGINEERING SVCS DURING BIDDING & OVERSIGHT SVCS DURING CONSTRUCTION FOR 12" WATER DISTRIBUTION MAIN ALONG HARRISBURG RD; ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR CONSTRUCTION OF WATER MAIN REPLACEMENT; ACCEPT OPWC GRANT FUNDS IN AMT OF \$477,300.00; ACCEPT OPWC ZERO PERCENT LOAN FUNDS FOR A TERM OF 10 YRS IN AMT OF \$167,700.00; CREATE SEPARATE FUND FOR HARRISBURG WATER MAIN REPLACEMENT PROJ & APPROP THE TOTAL OPWC FUNDING AMT OF \$645,000.00; MAKE \$81,535.00 SUPP APPROP. - FINANCE & ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
76. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX FOR JANUARY 2012. - RECEIVED & FILED
77. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR JANUARY 2012. - RECEIVED & FILED
78. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 1/31/12. - RECEIVED & FILED

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

- 1<sup>ST</sup> RDG 1. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (DR. DOMINGO - 3120 PARKWAY AVENUE NW FROM PB-1 (PLANNED OFFICE DISTRICT) TO PB-3 (PLANNED GENERAL BUSINESS) **PUB HRG 2/27/12 @ 7:30 P.M.**  
Referred to Judiciary Committee
- 1<sup>ST</sup> RDG 2. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (SCHOOLHOUSE FINANCE LLC - 1500 & 1530 SUPERIOR AVE NE FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PCS (PLANNED COMMUNITY SERVICE) **PUB HRG 2/27/12 @ 7:31 P.M.**  
Referred to Judiciary Committee
- 1<sup>ST</sup> RDG 3. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (LEHMAN - 1120 15<sup>TH</sup> ST NW FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PCS (PLANNED COMMUNITY SERVICE) **PUB HRG 2/27/12 @ 7:32 P.M.**  
Referred to Judiciary Committee
- 1<sup>ST</sup> RDG 4. AMEND APPROP O#220/2011 BY MAKING VARIOUS SUPP APPROPS; EMERGENCY (TO OPERATE CITY EFFICIENTLY)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID & DELINQUENT CHARGES FOR REMOVAL OF NOXIOUS WEEDS & DEBRIS; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 6. AUTHORIZE MAYOR &/OR SERV DIR TO: ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR THE WEST SIDE INTERCEPTOR SANITARY SEWER REHAB PROJ, GP 1138; RECEIVE OPWC GRANT; AMEND EXISTING &/OR ENTER INTO NEW AGMTS W/STARK COUNTY & NORTH CANTON FOR CONSTRUCTION & REIMBURSEMENT OF THEIR COSTS ASSOCIATED W/THE WORK; AUTHORIZE AUDITOR TO ESTABLISH 5443 WEST SIDE INTERCEPTOR SANITARY SEWER REHAB PROJ, GP 1138; AMEND APPROP O#220/2011 (\$2,000,000.00 & \$1,160,000.00)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 7. AMEND APPROP O#220/2011 BY MAKING VARIOUS SUPP APPROPS; EMERGENCY (TO ENSURE THE ABILITY IF REQUIRED TO MAKE TERMINAL PAYMENTS TO THE EMPLOYEES INVOLVED IN THE ONGOING RETIRE/REHIRE INVESTIGATION)  
Referred to Finance Committee

**ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:  
(SUSPENDED RULE 22A TO ADD O#8 - O#16)**

- 2<sup>ND</sup> RDG 8. AMEND APPROP O#220/2011 BY MAKING \$495,000.00 SUPP APPROP FROM UNAPPROP BAL OF 2237 WATER PARK FACILITY GRANT FUND TO 2237 506001 COMMUNITY DEVELOPMENT - OTHER; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 9. AMEND APPROP O#220/2011 BY MAKING \$60,357.94 SUPP APPROP FROM UNAPPROP BAL 2212 NEIGHBORHOOD STABILIZATION PROG FUND TO 2212 506009 STIMULUS - OTHER AND \$45,807.04 SUPP APPROP FROM UNAPPROP BAL 2213 NEIGHBORHOOD STABILIZATION PROG 3 TO 2213 506001 COMM DEV - OTHER; EMERGENCY (C&ED)
- 2<sup>ND</sup> RDG 10. AMEND APPROP O#220/2011 BY MAKING \$8,884.17 APPROP REDUCTION FROM 2529 401060 SPECIAL PARK FUNDS - OTHER TO UNAPPROP BAL 2529 NEW HORIZON PARK FUND AND \$2,000.00 APPROP REDUCTION FROM 2785 102000 POLICE - OTHER TO UNAPPROP BAL 2785 2010 LOCAL SOL BYRNE GRANT FUND; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 11. ESTABLISHING AN ILLEGAL GUN INTERDICTION AND REDUCTION PROG; APPROP \$35,000.00 TO POLICE DEPT; EMERGENCY (JUD & FIN)
- 2<sup>ND</sup> RDG 12. AMEND APPROP O#220/2011 BY MAKING 23 APPROPS FOR HEALTH DEPT.; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 13. AUTHORIZE COUNCIL TO ACCEPT A DONATION IN AMT OF \$2,844.25 FROM WEST PARK NEIGHBORHOOD ASSOC FOR PURCHASE OF 2 SECURITY CAMERAS & ASSOCIATED EXPENSES RELATED TO INSTALLATION OF EQUIPMENT; AMEND APPROP O#220/2011 BY MAKING \$2,844.25 SUPP APPROP FROM UNAPPROP BAL 2776 POLICE DONATION FUND TO 2776 10-20-00 POLICE - OTHER; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 14. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMTS NOT TO EXCEED \$8,320.00 TO MARSHALL LAND COMPANY; \$5,282.00 TO COTTRILL WRECKING COMPANY AND \$1,900.00 TO C.R.S. GENERAL CONTRACTING; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 15. AUTHORIZE SERV DIR TO ENTER INTO PROF SVC CONTRACT FOR STOP-LOSS INSURANCE FOR CITY EMPLOYEES AND THEIR DEPENDENTS; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 16. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/MUNICIPAL POOL, MANAGED BY OCHS, INC. FOR GROUP TERM LIFE & ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE COVERAGE FOR ELIGIBLE CITY EMPLOYEES; EMERGENCY (FIN)

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

- 2/2012 17. AMEND APPROP O#220/2011 BY MAKING \$273,300.00 SUPP APPROP FROM UNAPPROP BAL 4510 2006 CONSTR/RECONSTR BOND FUND TO 4510 201001 SVC DIR ADMIN - OTHER; EMERGENCY
- 3/2012 18. RATIFYING THE INTERFUND TRANSFER FOR GRANT ADVANCE & TO REPAY GRANT ADVANCE; AMEND APPROP O#220/2011; EMERGENCY (\$5,016.05)
- 4/2012 19. AUTHORIZE PARTICIPATION BY CITY IN THE US COMMUNITIES GOVERNMENT PURCHASING ALLIANCE; EMERGENCY (PURCHASE OF SUPPLIES, SERVICES, EQUIPMENT & CERTAIN RELATED MATERIALS WITHOUT COMPETITIVE BIDDING)
- 5/2012 20. AUTHORIZE PARTICIPATION BY CITY IN STATE CONTRACTS PURSUANT TO ORC SEC 5513.01; EMERGENCY (PURCHASE OF MACHINERY, MATERIALS, SUPPLIES OR OTHER ARTICLES)
- 6/2012 21. AUTHORIZE PARTICIPATION BY CITY IN STATE OF OH COOP PURCHASING PROGRAM; EMERGENCY (PURCHASE OF SUPPLIES, SERVICES, EQUIPMENT & CERTAIN RELATED MATERIALS WITHOUT COMPETITIVE BIDDING)
- 7/2012 22. AUTHORIZE SAF DIR TO ENTER INTO PROF SVCS CONTRACT W/ANGELA CAVANAUGH TO SERVE AS CITY'S CHIEF BUILDING OFFICIAL IN AMT NOT TO EXCEED \$108,993.00; EMERGENCY

**AS AMENDED**

- 8/2012 23. AUTHORIZE SAF DIR TO ENTER INTO PROF SVCS CONTRACT W/PHILIP SEDLACKO FOR ANIMAL CONTROL SVCS FOR CITY; EMERGENCY (NOT TO EXCEED \$27,129.00)
- 9/2012 24. AUTHORIZE SAF DIR TO ENTER INTO LEASE AGMTS W/STARK COUNTY COMMISSIONERS FOR PURPOSE OF UTILIZING CITY OWNED PARKING SPACE; EMERGENCY
- 10/2012 25. AUTHORIZE SAF DIR TO ENTER INTO LEASE AGMT W/CANTON REGIONAL CHAMBER OF COMMERCE FOR PURPOSE OF UTILIZING CITY OWNED PARKING SPACE; EMERGENCY

**POSTPONED UNTIL**

- 2/27/12 26. AUTHORIZE SERV DIR TO ENTER INTO LEASE AGMT W/CANTON JOINT RECREATION DISTRICT FOR CITY OWNED PROPERTY @ 1414 MARKET AVE N; EMERGENCY
- 11/2012 27. AUTHORIZE SERV DIR TO PURCHASE EASEMENTS IN CONJUNCTION W THE HARTVILLE/LAKE TWP WATER MAIN EXTENSION PROJ; AMEND APPROP O#220/2011 BY MAKING \$74,525.00 FROM UNAPPROP BAL OF 5201 WATER FUND TO 5201 207026 HARTVILLE/LAKE TWSHP 2011 WATER MAIN - OTHER; EMERGENCY
- 12/2012 28. AUTHORIZE MAYOR &/OR SERV DIR TO ACCEPT DONATION OF LAND FROM THE JAMES F. RICH REVOCABLE TRUST. JAMES F. RICH, TRUSTEE; ENTER INTO AGMT W/THE JAMES F. RICH REVOCABLE TRUST & THE MONTABELLA ESTATES HOMEOWNERS ASSOC, INC; EMERGENCY (OUTLOT 1023 - PARCEL 0305908)

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

- 13/2012** 29. AUTHORIZE AUDITOR TO ENTER INTO PROF SVCS CONTRACTS FOR ALL CONTRACTUAL COMMITMENTS, INCLUDING BOND LEGAL COUNSEL & RELATED BANK SVCS NECESSARY FOR CITY TO ISSUE BOND ANTICIPATION NOTE; EMERGENCY
- 14/2012** 30. AUTHORIZE MAYOR, SERV DIR &/OR SAF DIR TO COMPLETE THE CONTRACTING PROCESS FOR VARIOUS CONTRACTS PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY 1/1/12; EMERGENCY
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- 15/2012** 31. AUTHORIZE SERV DIR & SAF DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR SUPPLY ITEMS, MATERIALS & PROFESSIONAL SVCS FOR CITY'S OPERATIONS DURING THE 2012 CALENDAR YR; AUTHORIZE ALTERNATIVELY THE PURCHASE OF SAID ITEMS PURSUANT TO THE STATE COOP PURCHASING AGMT &/OR ODOT PURCHASING AGMT; EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, FEBRUARY 13, 2012 in Council Caucus Room at 6:15 P.M.**

- 1) Finance Committee
- 2) Judiciary Committee
- 3) Personnel Committee

**MISCELLANEOUS BUSINESS:** Member Cirelli re: Advised that she voted no on Ordinance #24 in error.

**ADJOURNMENT:** 9:16 P.M.

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, FEBRUARY 13, 2012 @ 7:30 PM**