

**FINAL**  
**AGENDA**  
7:30 PM

CANTON CITY COUNCIL

FEBRUARY 13, 2012

**ROLL CALL:** All Member Present

**MOTION TO EXCUSE MEMBERS:** Not Necessary

**INVOCATION:** Joseph Cole, Council-at-Large

**PLEDGE OF ALLEGIANCE:** President Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#5 - O#11; O#12(O#9/2012) Reconsidered; O#16 Adopted as Amended)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Steven Silver previously spoke on alternative methods for controlling the feral cats but now knows that the city has gone into a 90 day contract with the animal control officer. He wonders if anyone will even study a different way of handling this issue. He wants to know if any citizens will be included in the committee to learn about both sides of this problem. Latosha Abercrombie is upset over the bullying issues in the city schools. She has followed the protocol of the school system regarding the bullying of her daughters and no one is calling her back. She raises her children to be ladies and gentlemen and her daughter is so distraught that her hair is falling out. She knows that children are the future so their issues are something that needs to be dealt with. Deborah Bartlett is an organizer for Ohio Gun Owners. She has a concern about a hotline being put into place to call in and say where you have seen a gun as this program will turn neighbors against neighbors. She is also worried about the people that have a concealed carry license and can legally have a weapon. Miss Bartlett feels that the city is further trying to disarm the citizens and not allowing them to protect themselves. Richard Drake is an ISA certified arborist and sees that many trees in the city are in bad shape. These need fixed before someone gets injured. Trees have a life cycle like people and many of Canton's trees are over age so we should bring Arbor Day back to the schools to get new trees planted. Dana Ray found after doing some research that the same organization that is doing the euthanizing of the feral cats is the same organization that is one of the main advocates of the TNR program, the Humane Society. She wonders why some Council Members still are behind Mr. Sedlacko after hearing about or viewing the tape of his inhumane abuse of animals. Pete DiGiacomo tells all that feral cats are not pets. If you have had a dealing with a feral cat, you will remember it. These are wild cats that can not be rehabilitated. Who is going to pay for the damage that these cats do to the neighborhood by walking on cars, urinating and defecating in yards and digging up flower beds. He doesn't feel that people that do not live in Canton should come here and tell us how to change a policy that is working for the city. Mr. DiGiacomo is also a gun owner and knows that guns need confiscated from the felons but is concerned how the proposed legislation will affect the legal owners of weapons. Kathryn Ramsey still loves cats but thinks that most are taken in as cute and cuddly kittens then turned loose when grown. She feels Canton is getting abdominal surgery by the criminals that are scrapping the city, stealing copper in the night and selling it at will. She seen her neighbor's son stealing the fence around the yard for scrap while the mother was in the hospital but the police said nothing could be done about it since he lived there. Karen Kirsch continues to ask why the city is involved in paying for wildlife control. There are many other programs that will provide assistance and education with actual wildlife beyond feral cats that is free of charge. There are agencies that will come to your home and evaluate the environment to see just what needs to be done to move the wildlife to another area and prevent these animals from being killed. Charles Killins looks around the city and sees many houses that are in bad shape after they tore down his home without due process. He feels that there are difficulties with some city officials and that there are departments that violate citizen's constitutional rights. He again asks that the Police Department publish the telephone number to call for non-emergencies in the newspaper. James Parker congratulated Chief Lawver as the new Police Chief. He discussed the error of the Council Rules at the last meeting regarding his time to speak and the fact that he should have been called last to speak. He asked if Canton had a slogan and proposed his two choices as "Touchdown Canton" and "Canton Rushing for Yards". He feels a contest should take place for a city slogan.

**INFORMAL RESOLUTIONS:**

16. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF JAMES REINHARD AND CHET WARREN TO STARK AREA REGIONAL TRANSIT AUTHORITY FROM 4/1/12 - 3/31/15. - ADOPTED

**COMMUNICATIONS:**

79. EHDOC DEVELOPMENT SERV, LLC: NOTIFICATION THAT EHDOC MAYFIELD MANOR I CORP WILL BE GENERAL PARTNER OF A RESIDENTIAL RENTAL DEVELOPMENT & PLANS TO UTILIZE MULTIFAMILY FUNDING PROG OF OHIO HOUSING FINANCE AGENCY FOR RENOVATION OF THE PROP SET TO BEGIN APRIL 2012 & ENDING JUNE 2013. - RECEIVED & FILED

80. LIQUOR CONTROL DIVISION (OHIO): DENYING AND REJECTING TRANSFER OF OWNERSHIP ON D1 D2 D3 D3A LIQUOR PERMIT FROM FRAME'S TAVERN, INC DBA FRAME'S TAVERN, INC. 1<sup>ST</sup> FL & BSMT @ 1600 BRYAN AVE SW TO FRAME'S TAVERN I, LLC. - RECEIVED & FILED

81. MAYOR WILLIAM HEALY: AUTHORIZE RE-APPT OF JOANNE PAULINO TO TAX INCENTIVE REVIEW BOARD FOR RETRO TERM OF 1/1/12 - 12/31/13. - PERSONNEL COMMITTEE

82. MAYOR WILLIAM HEALY: AUTHORIZE RE-APPT OF WARREN CHAVERS TO TAX INCENTIVE REVIEW BOARD FOR RETRO TERM OF 1/1/12 - 12/31/13. - PERSONNEL COMMITTEE

83. MAYOR WILLIAM HEALY: AUTHORIZE RE-APPT OF MARK KINDEL AS ELECTRICAL JOURNEYMAN TO CANTON CONSTRUCTION BOARD FOR TERM OF 3/1/12 - 2/28/15. - PERSONNEL COMMITTEE

84. SERVICE DIRECTOR PRICE: INFORMING COUNCIL THAT CITY WILL NOT ENTER INTO PLA FOR WEST SIDE INTERCEPTOR SANITARY SEWER REHABILITATION PROJ. - RECEIVED & FILED

85. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 1/31/12. - RECEIVED & FILED

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

- 1<sup>ST</sup> RDG 1. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT W/FREED HOUSING TO PROVIDE A GRANT IN AMT NOT TO EXCEED \$100,000.00 FOR TENANT BASED RENTAL ASST PROG TO BENEFIT LOW TO MODERATE INCOME INDIVIDUALS & FAMILIES; EMERGENCY  
Referred to Committee and Economic Development Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZE SAF DIR TO ENTER INTO LEASE AGMT WITH VXI GLOBAL SOLUTIONS FOR PURPOSE OF UTILIZING CITY OWNED PARKING SPACE; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 3. AMEND O#200/2011 AUTHORIZING SAF DIR TO ACCEPT ADDITIONAL \$49,600.00 IN FUNDS FROM 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT & TO AMEND APPROP O#220/2011; EMERGENCY (\$99,200.00 SUPP APPROP FROM UNAPPROP BAL 2769-2011 BYRNE MEMORIAL JUSTICE FUND TO 2769-2011 BYRNE MEMORIAL JUSTICE GRANT - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 4. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/CTI ENGINEERS, INC FOR ENGINEERING SERV; ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR CONSTRUCTION OF WATER MAIN REPLACEMENT; ACCEPT OHIO PUBLIC WORKS COMMISSION (OPWC) GRANT FUND IN AMT OF \$477,300.00 & ACCEPT OPWC 0% LOAN FUNDS FOR A 10 YR TERM IN AMT OF \$167,700.00; AUTHORIZE AUDITOR TO ESTABLISH 5226 HARRISBURG WATER MAIN REPLACEMENT PROJ FUND; AMEND APPROP O#220/2011; EMERGENCY  
Referred to Finance and Environmental & Public Utilities Committees

**ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#5 - O#11)**

- 2<sup>ND</sup> RDG 5. 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) (JUD) **PUB HRG 2/27/12 @ 7:30 P.M.**
- 2<sup>ND</sup> RDG 6. 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) (JUD) **PUB HRG 2/27/12 @ 7:31 P.M.**
- 2<sup>ND</sup> RDG 7. 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) (JUD) **PUB HRG 2/27/12 @ 7:32 P.M.**
- 2<sup>ND</sup> RDG 8. AMEND APPROP O#220/2011 BY MAKING VARIOUS SUPP APPROPS; EMERGENCY (TO OPERATE CITY EFFICIENTLY) (FIN)
- 2<sup>ND</sup> RDG 9. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID & DELINQUENT CHARGES FOR REMOVAL OF NOXIOUS WEEDS & DEBRIS; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 10. 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) (FIN)
- 2<sup>ND</sup> RDG 11. 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) (FIN)

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

- 9/2012 12. AUTHORIZE SAF DIR TO ENTER INTO LEASE AGMTS W/STARK COUNTY COMMISSIONERS FOR PURPOSE OF UTILIZING CITY OWNED PARKING SPACE; EMERGENCY
- 16/2012 13. 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
- 17/2012 14. 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
- 18/2012 15. 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

**AS AMENDED**

- 19/2012 16. ESTABLISHING AN ILLEGAL GUN INTERDICTION AND REDUCTION PROG; APPROP \$35,000.00 TO POLICE DEPT; EMERGENCY

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

- 20/2012** 17. AMEND APPROP O#220/2011 BY MAKING 23 APPROPS FOR HEALTH DEPT.; EMERGENCY
- 21/2012** 18. 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
- 22/2012** 19. 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
- 23/2012** 20. AUTHORIZE SERV DIR TO ENTER INTO PROF SVC CONTRACT FOR STOP-LOSS INSURANCE FOR CITY EMPLOYEES AND THEIR DEPENDENTS; EMERGENCY
- 24/2012** 21. 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

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, FEBRUARY 27, 2012 in Council Caucus Room at 6:45 P.M.**

- 1) Finance Committee
- 2) Community and Economic Development Committee
- 3) Personnel Committee
- 4) Environmental and Public Utilities Committee

**MISCELLANEOUS BUSINESS:** Mayor Healy announced that on March 1, 2012 he will be presenting the State of the City address in Council Chambers from 6 to 7 PM and there will be a short reception before hand from 5 to 6 so feel free to come a little early. He wanted to clarify the reference to his name being on the Bloomberg list because this was due to his support with other Mayors against illegal guns or any firearm that is not legal. He does not oppose firearms and had a 100% voting record with the NRA while with State Legislature. Member West went around Ward 2 with Angela Cavanaugh today to see about some of the houses that he would like to have come down over the next couple of years and he has learned that the price of demolishing a house has doubled to about \$6,000.00 because of some of the EPA guidelines now in place. Is there something that Council can do to cut these costs or change any of the guidelines? Law Director Martuccio explains that Jason Reese is looking into all of the regulations to see just what we can do as a city. Mayor Healy states there is new information circulating that some of this is from the banks with the foreclosures and since some of this money will now have to be repaid at the state level, he will be lobbying for the city to receive their share and hopes to put these funds toward further demolitions. Law Director Martuccio congratulates Chief Lawver. He shared Mr. Killins problems with his house with the new Council Members and stated that while the statute of limitations has run out, he will always look at any new information Mr. Killins brings to him. He asks Kathryn Ramsey to call him directly to discuss the Ordinance and legalities behind scrapping in the city and informs Dick Drake that he has received a lot of feedback on the Tree Ordinance but is just waiting on some final input and it will be presented. Service Director Price shared that there is a meeting on the 12<sup>th</sup> Street project running from Monument to Maple tomorrow, February 14<sup>th</sup> at 4:00 PM at the Civic Center. Member West named Mr. Killins as the "Dr. of Love" for always bringing flowers to the meeting.

**ADJOURNMENT:** 8:59 P.M.

**THERE WILL BE NO COUNCIL MEETING MONDAY, FEBRUARY 20, 2012 IN OBSERVANCE OF PRESIDENT'S DAY**

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, FEBRUARY 27, 2012 @ 7:30 PM**