

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

FEBRUARY 27, 2012

CANTON CITY COUNCIL

**ROLL CALL:** Twelve Council Members Present

**MOTION TO EXCUSE MEMBERS:** Not Necessary

**INVOCATION:** Greg Hawk, Ward 1 Council Member

**PLEDGE OF ALLEGIANCE:** President Allen Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#1 - O#4; O#5 Postponed until 3/12/12)

**PUBLIC HEARINGS:**

- 7:30 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (DR. DOMINGO - 3120 PARKWAY AVE NW FROM PB-1 (PLANNED OFFICE DISTRICT) TO PB-3 (PLANNED GENERAL BUSINESS) IN WARD 1 - PLANNING COMMISSION RECOMMENDED APPROVAL) **O#25/2012**  
(1 Speaker)
- 7:31 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (SCHOOLHOUSE FINANCE LLC - 1500 & 1530 SUPERIOR AVE NE FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PCS (PLANNED COMMUNITY SERVICE) IN WARD 6 - PLANNING COMMISSION RECOMMENDED APPROVAL) **O#26/2012**  
(No Speakers)
- 7:32 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (LEHMAN - 1120 15<sup>TH</sup> ST NW FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PCS (PLANNED COMMUNITY SERVICE) IN WARD 1 - PLANNING COMMISSION RECOMMENDED APPROVAL) **O#27/2012**  
(3 Speakers)

**OLD BUSINESS (PUBLIC SPEAKS):** None

**PUBLIC SPEAKS (CITY BUSINESS):** Toby Franks, Jill Kirsch, Steve Silver, Karen Kirsch, Marcia Zawacky, Pete DiGiacomo, Jeanette Morris, Christy Gerber, Vicki Boatright, Dana Ray, Kathryn Ramsey, Kenzie Smith, Jessica Lucilio, Don Joliat and Denise Dorland all discussed Animal Control in the City.

**INFORMAL RESOLUTIONS:**

17. COUNCIL AS A WHOLE: OPPOSING THE CLOSURE OF THE MAIN POST OFFICE @ 2650 CLEVELAND AVE NW. - ADOPTED
18. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF JOANNE PAULINO TO TAX INCENTIVE REVIEW BD RETRO 1/1/12 - 12/31/13. - ADOPTED
19. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF WARREN CHAVERS TO TAX INCENTIVE REVIEW BD RETRO 1/1/12 - 12/31/13. - ADOPTED
20. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF MARK KINDEL TO CANTON CONSTRUCTION BD FROM 3/1/12 - 2/28/15. - ADOPTED

**COMMUNICATIONS:**

86. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERTIFICATE DATED 2/12/12. - RECEIVED & FILED
87. CIRELLI, M, CNCL-AT-LG: AUTHORIZE LAW DIR TO RESEARCH & PREPARE AN ORDINANCE OR RESOLUTION TO PUT "CANTON FIRST" WHEN PROCURING SUPPLIES & SVCS, FOLLOWED BY STARK COUNTY, OH & THE U.S. PURSUANT TO ANY FEDERAL, STATE & LOCAL LAWS. - JUDICIARY COMMITTEE
88. FINANCE DIRECTOR DIRUZZA: RECEIPT OF DRAFT VERSION OF 2012 BUDGET. - FINANCE COMMITTEE
89. LAW DIRECTOR MARTUCCIO: AUTHORIZE LAW DIR TO SUBMIT A NEW EXHIBIT PLAT REPLACING THE ORIGINAL EXHIBIT PLAT KNOWN AS EXHIBIT 'A' OF O#22/2004 DUE TO A GRAPHICAL ERROR & DIMENSIONAL ERROR ON THE ORIGINAL EXHIBIT PLAT. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
90. LAW DIRECTOR MARTUCCIO: AUTHORIZE TO ENTER INTO CONTRACTS W/CITIES OF LOUISVILLE & NORTH CANTON & VILLAGES OF EAST CANTON, EAST SPARTA, HARTVILLE, MAGNOLIA & WAYNESBURG TO PERFORM THEIR PROSECUTORIAL DUTIES IN CANTON MUNI COURT ON A BIENNIAL CONTRACT BASIS. - FINANCE COMMITTEE
91. MAYOR HEALY: ADVISING OF APPT OF AMANDA STEWART TO THE CITY PLANNING COMMISSION FROM 2/21/12 - 12/31/12. - RECEIVED & FILED
92. MAYOR HEALY: AUTHORIZE APPT OF KELLI SCOTT TO FAIR HOUSING COMMISSION RETRO FROM 2/1/12 - 1/31/17. - PERSONNEL COMMITTEE

**COMMUNICATIONS CONTINUED:**

93. MAYOR HEALY: AUTHORIZE PROF SVCS CONTRACT IN AMT OF \$30,000.00 TO FULFILL PAYMENT OBLIGATIONS THROUGHOUT REMAINDER OF 2011 & 2012 THAT MAY BE DUE & OWING TO BLACK, MCCUSKEY, SOUERS & ARBAUGH LPA FOR WORKER'S COMP REPRESENTATION; APPROP \$30,000.00 TO 6010501101 HUMAN RESOURCES - OTHER. - FINANCE COMMITTEE
94. PLANNING COMMISSION: RECOMMENDING APPROVAL OF ZONE CHANGE @ 509 15<sup>TH</sup> ST NW (LOTS 4744 & 4745, PARCEL 235243) FROM B-2 (NEIGHBORHOOD BUSINESS) TO PB-3 (PLANNED GENERAL BUSINESS) TO ALLOW FOR THE REPAIR WORK ON COMPUTERS, ELECTRICAL DEVICES, STORE COMMERCIAL TRUCKS & ALLOW AN ELECTRONIC MESSAGE UNIT (TIMOTHY GILLEMS) IN WARD 9. - JUDICIARY COMMITTEE
95. SAFETY DIRECTOR REAM: REQ APPROVAL OF DEMO OF 4 PROPERTIES ON BEHALF OF CANTON BLDG DEPT. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
96. SAFETY DIRECTOR REAM: REQ TO ENTER INTO CONTRACT FOR SPRINT EQUIPMENT & WIRELESS COMMUNICATION SVCS WITH WESTERN STATES CONTRACTING ALLIANCE; REQ \$4,000.00 MORAL OB BE RATIFIED & PAID TO SPRINTCOM EQUIPMENT CO LP & THAT CONTRACTUAL TIME PERIOD RETROACTIVE TO 11/2011 ALSO BE RATIFIED; REQ \$24,000.00 APPROP TO COVER ANTICIPATED EXPENSES OVER BALANCE OF YEAR. - FINANCE COMMITTEE
97. SERVICE DIRECTOR PRICE: REQ TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR STANDBY GENERATOR FOR CANTON COLLECTION SYSTEM SVC BLDG, GP 1164; AUTHORIZE \$100,000.00 SUPP APPROP & AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
98. SERVICE DIRECTOR PRICE: ADVISING THAT THE CITY WILL NOT BE ENTERING INTO A PLA FOR STANDBY GENERATOR FOR CANTON COLLECTION SYSTEMS SVC BLDG, GP 1164 DUE TO THE ANTICIPATED IMPROVEMENT COSTING LESS THAN \$100,000.00. - RECEIVED & FILED
99. SERVICE DIRECTOR PRICE: REQ TO ENTER INTO A PROF SVC AGMT W/KIKO AUCTIONEERS, INC TO CONTINUE THE PAST PRACTICE OF CONDUCTING CITY AUCTIONS @ THE SVC CENTER FOR SALE OF SCRAP & DISCARDED ITEMS & CITY IMPOUNDED VEHICLES FOR 2 YR PERIOD ENDING 12/31/13. - FINANCE COMMITTEE
100. SERVICE DIRECTOR PRICE: RECEIPT OF 2011 WRF ANNUAL REPORT OF OPERATION. - RECEIVED & FILED
101. MAYOR HEALY: REQ NAME CHANGE OF INFORMATION TECH MANAGER TO DIR OF INFORMATION TECHNOLOGY; REQ SALARY TO REFLECT UP TO 93% OF RANGE FOR NEG PURPOSES. - PERSONNEL COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:** None**ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#1 - O#4)**

- 2<sup>ND</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 \_\_\_\_\_(C&ED)
- 2<sup>ND</sup> RDG 2. \_\_\_\_\_ AUTHORIZE SAF DIR TO ENTER INTO LEASE AGMT WITH VXI GLOBAL SOLUTIONS FOR PURPOSE OF UTILIZING CITY OWNED PARKING SPACE; EMERGENCY \_\_\_\_\_(FIN)
- 2<sup>ND</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) \_\_\_\_\_(FIN)
- 2<sup>ND</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 \_\_\_\_\_(FIN & E&PU)

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

- 3/12/12** 5. AUTHORIZE SERV DIR TO ENTER INTO LEASE AGMT W/CANTON JOINT RECREATION DISTRICT FOR CITY OWNED PROPERTY @ 1414 MARKET AVE N; EMERGENCY
- 25/2012** 6. 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.**
- 26/2012** 7. 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.**
- 27/2012** 8. 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.**
- 28/2012** 9. AMEND APPROP O#220/2011 BY MAKING VARIOUS SUPP APPROPS; EMERGENCY (TO OPERATE CITY EFFICIENTLY)
- 29/2012** 10. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID & DELINQUENT CHARGES FOR REMOVAL OF NOXIOUS WEEDS & DEBRIS; EMERGENCY
- 30/2012** 11. 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)
- 31/2012** 12. 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)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, MARCH 5, 2012 in Council Caucus Room at 6:30 P.M.**

Land Banking Presentation

**MONDAY, MARCH 5, 2012 in Council Caucus Room at 7:00 P.M.**

1) Personnel Committee

**MISCELLANEOUS BUSINESS:** Member Fisher re: Expressed that he feels too much time has been wasted on the feral cat issue when there are so many other pressing issues that need dealt with in the City; Member Cirelli re: Reminded everyone that there is a Pre Audit in Caucus Tuesday at 10:00 AM; President Schulman re: Announced that the Pre Audit is being held at 10:30 AM.

**ADJOURNMENT:** 8:54 PM**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 5, 2012 @ 7:30 PM**