

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

CANTON CITY COUNCIL

APRIL 2, 2012

**ROLL CALL:** Ten Members Present

**MOTION TO EXCUSE MEMBERS:** Members Cirelli and Mack Absent

**INVOCATION:** Frank Morris, Ward 9 Council Member

**PLEDGE OF ALLEGIANCE:** President Allen Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#2 - O#9)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Leroy Lynch had his Pastor sign and interpret for him. He came in last week to take the Civil Service test and was previously told that there would be an interpreter available for this exam. When he arrived, he was informed that a portion of the test was oral and there was no one here to do the interpreting for him so he walked out in frustration. He feels very sad that the city continues to not have these services available to him. Richard Drake stating that mulching mountains up against the tree trunks is very bad for the trees and mulch should never be closer than 2 to 3 inches from the base. The city is still planting the wrong species in the wrong areas. Since most trees need to grow for 15 years before they give back to the community, some of these will never provide what they are planted for. Trees are very expensive so you will need someone with knowledge to be a part of the Tree Commission. Patricia Kirk provides information on topping of trees. Some residents think there are getting their trees trimmed for a cheaper price when this is done but all they are getting is a dead tree. Pete DiGiacomo spent several hours last Wednesday with a pit bull running loose in his neighborhood. He made several telephone calls to the Police Department, the Dog Warden's office and a couple of Council Members only to find out that when the Dog Pound is closed, you are on your own with a pit bull so something needs done to enforce the vicious animal law.

**INFORMAL RESOLUTIONS:**

29. COUNCIL-AS-A-WHOLE: COMMENDING AND CONGRATULATING THE TIMKEN COMPANY FOR MAKING THE LIST OF THE WORLD'S MOST ETHICAL COMPANIES. - ADOPTED

**COMMUNICATIONS:**

135. AUDITOR MALLONN: REQ ADDTL AMENDED CERT DATED 3/29/12. - RECEIVED & FILED
136. COMM DEV DIRECTOR MILLER: ESTABLISH FAIR REUSE VALUE OF REAL PROP AND AUTHORIZE DISPOSITION OF SAID PROP LOCATED ON LOUISIANA AVE NW FOR SHARON BENDER (PARCEL #02-29786, LOT #8835). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
137. COMM DEV DIRECTOR MILLER: ESTABLISH FAIR REUSE VALUE OF REAL PROP AND AUTHORIZE DISPOSITION OF SAID PROP LOCATED ON OBY PLACE NW FOR LATONYA WALKER (PARCEL #02-85789, LOT PT #6683). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
138. COMM DEV DIRECTOR WILLIAMS: REQ LEGISLATION TO AUTHORIZE EFFECT OF RECOMMENDATIONS OF 2012 TAX INCENTIVE REVIEW COMMITTEE. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
139. COURT ADMIN KOCHERA: CANTON MUNICIPAL COURT 2011 ANNUAL RPT. - RECEIVED & FILED
140. COUNCIL MEMBER WEST: REQ AMEND O#225/2006 TO REMOVE DEMO COSTS AT 712 HOOVER PL NW. - JUDICIARY COMMITTEE
141. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C2 PERMIT FOR SPEEDWAY LLC DBA SPEEDWAY 9399 @ 2122 NAVARRE RD SW. - RECEIVED & FILED
142. MAJORITY LDR DOUGHERTY, CNCL-AT-LRG MBR COLE AND WARD 1 CNCL MBR HAWK: REQ AUTHORIZATION FOR SERV DIR, IN CONSULTATION WITH AD HOC MERCHANDISING CMTE, TO ENTER INTO PROF SVCS CONTRACTS FOR DESIGN & RETAIL AND AGMTS WITH LOCAL SCHOOL SYSTEM & JUNIOR ACHIEVEMENT TO INITIATE A CITY OF CANTON MERCHANDISING PROG; REQ AUDITOR CREATE AND DESIGNATE A SPECIAL REVENUE FUND; AN APPROP TRANSFER AND/OR SUPP APPROP WILL BE REQUESTED TO SEED THE PROG WITH GOAL OF MAKING IT SELF-SUSTAINING WHILE PROMOTING PRIDE OF THE CITY AND DIRECTING FUNDS TO COMMUNITY POLICING EFFORTS. - FINANCE COMMITTEE
143. MAYOR HEALY: ADVISE OF RE-APPT OF ROBERT THOMPSON TO CANTON COMMUNITY IMPROVEMENT CORP FOR RETRO TERM OF 1/1/12 - 12/31/12. - RECEIVED & FILED

**COMMUNICATIONS CONTINUED:**

144. MAYOR HEALY: ADVISE OF RE-APPT OF DONALD PETERSON TO CANTON COMMUNITY IMPROVEMENT CORP FOR RETRO TERM OF 1/1/12 - 12/31/12. - RECEIVED & FILED
145. MAYOR HEALY: ADVISE OF RE-APPT OF STEVE KATZ TO CANTON COMMUNITY IMPROVEMENT CORP FOR RETRO TERM OF 1/1/12 - 12/31/12. - RECEIVED & FILED
146. MAYOR HEALY: REQ APPRVL OF RE-APPT OF LOVIE HAILEY TO FAIR EMPLOYMENT BOARD FOR RETRO TERM 3/1/12 - 2/28/15. - PERSONNEL COMMITTEE
147. MAYOR HEALY: REQ APPRVL OF RE-APPT OF VIRGINIA JEFFRIES TO FAIR EMPLOYMENT BOARD FOR RETRO TERM 3/1/12 - 2/28/15. - PERSONNEL COMMITTEE
148. SERVICE DIRECTOR PRICE: REQ PARTICIPATORY CONSENT LEGISLATION WITH ODOT TO PERFORM A LIGHTING UPGRADE AND REHAB PROJ ON I77 AT NO COST TO THE CITY. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
149. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION FOR SERV DIR TO ENTER INTO PROF ENGINEERING AGMT W/BURGESS & NIPLE IN AMT NOT TO EXCEED \$171,700.00 FOR PREPARING PLANS & SPECS ON WATER, SEWER & STREET IMPROVEMENT PROJ ON 37<sup>TH</sup> ST NW; \$112,400.00 SUPP APPROP OF 5201 WATER FUND; \$40,900.00 SUPP APPROP OF 5410 SEWER FUND; \$18,400.00 SUPP APPROP OF 4501 CAPITAL FUND FOR SAME PROJ; AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
150. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION FOR SERV DIR TO AMEND CLASSIFICATION PLAN FOR MGMT & NON-BARG UNIT PERSONNEL, DEPT 20WT, 20-70-01 SERV DIR WATER CONST, REPAIR, MAINT, SUPPLY & TREATMENT DIV; CLASS CODE 102 ADMIN ASST III; NUMBER OF EMPL 1; FROM 10H TO 9H; ADJ SALARY FOR THIS POSITION IMMEDIATELY. - PERSONNEL COMMITTEE
151. SERVICE DIRECTOR PRICE: REQ AMEND O#220/2011 WITH \$100,000.00 SUPP APPROP FROM UNAPPROP BAL 1001 GENERAL FUND TO 1001 801001 AUDITOR - ADMIN PERSONNEL TO PROVIDE CONTINUED SERV TO ALL CITY DEPTS. - FINANCE COMMITTEE
152. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION FOR SERV DIR TO ENTER INTO PROF SVC AGMT W/SQUIRE, SANDERS (US) LLP FOR LEGAL SVCS ASSOCIATED WITH BOND ISSUANCE & BOND FINANCING ALTERNATIVES TO MAINTAIN & ENHANCE FISCAL INTEGRITY OF THE CITY. - FINANCE COMMITTEE

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

- 1<sup>ST</sup> RDG 1. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS AND ENTER INTO CONTRACT FOR ONE 2012 OR NEWER HEAVY DUTY CREW TRUCK CAB & CHASSIS IN AMT NOT TO EXCEED \$42,000.00 FOR WATER DEPT; AUTHORIZE SERV DIR TO ENTER INTO VARIOUS CONTRACTS FOR PURCHASE OF VEHICLES PURSUANT TO O.R.C. SECTIONS 125.04 AND 5513.01; AMEND O#220/2011; EMERGENCY  
Referred to Public Property Capital Improvement Committee

**ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#2 - O#9)**

- 2<sup>ND</sup> RDG 2. **RETAINED IN COMMITTEE FROM 3/19/12** AMEND CHAPTER 917, TREES, OF THE CODIFIED ORDINANCES OF CITY OF CANTON (JUD)
- 2<sup>ND</sup> RDG 3. AMEND O#55/77, AS AMENDED, ZONING; EMERGENCY (TIMOTHY GILLEMS - 509 -15<sup>TH</sup> ST NW) (JUD)  
**PUB HRG: 4/9/12 @ 7:30 PM**
- 2<sup>ND</sup> RDG 4. AMEND O#220/2011;EMERGENCY (HEALTH DEPT TO CHANGE FUND NAME - \$75,000.00) (FIN)
- 2<sup>ND</sup> RDG 5. AUTHORIZE CITY AUDITOR TO PAY \$3,248.40 TO PHILIP SEDLACKO; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 6. AUTHORIZE SERV DIR TO NEGOTIATE, EXECUTE & GRANT A PERMANENT EASEMENT TO EAST OHIO GAS CO DBA DOMINION EAST OHIO FOR GAS LINES IN & THOUGH CITY PROPERTY KNOWN AS REIFSNYDER PARK & MARTINDALE PARK; EMERGENCY (E&PU)
- 2<sup>ND</sup> RDG 7. AUTHORIZE & CONSENT TO INSTALLATION OF CONCRETE OVERLAYS & PAINTING ON BRIDGES @ CLARENDON AVE, HARRISON AVE, DUEBER AVE & A 24 INCH OVERHEAD WATER MAIN OVER US 30; EMERGENCY (PS&T)

**ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:**

- 2<sup>ND</sup> RDG 8. AUTHORIZE & CONSENT TO SANITARY SEWER BETTERMENT @ A STRUCTURE OVER NIMISHILLEN CREEK; EMERGENCY (PS&T)
- 2<sup>ND</sup> RDG 9. AUTHORIZE & CONSENT TO RESURFACING OF STATE ROUTE 297 (RAFF RD) FROM US 30 TO STATE ROUTE 172 (W TUSC ST); EMERGENCY (PS&T)

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

- 48/2012 10. AUTHORIZE AUDITOR TO PAY \$750.00 MORAL OB TO MARK I. LURIE INC.; EMERGENCY
- 49/2012 11. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR THE STA-SR43-12.64 WALNUT/CHERRY COMPLETE STREETS PROJ, GP 1153; EXECUTE A PROF SVC CONTRACT FOR CONSTRUCTION ENGINEERING SVC; REC TRANSPORTATION REVIEW ADVISORY COUNCIL (TRAC) FUNDS IN AMT OF \$1,500,000.00; AUTHORIZING AUDITOR TO ESTABLISH 4567 WALNUT/CHERRY COMPLETE STREETS PROJ FUND, GP 1153; AMEND APPROP O#220/2011; EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, APRIL 9, 2012 in Council Caucus Room at 7:00 P.M.**

- 1) Public Property Capital Improvement Committee
- 2) Personnel Committee

**MISCELLANEOUS BUSINESS:** Member Smith thanking the Police, Safety Director and new Chief for the handling of the Peace rally for Trayvon Martin last week. Member Hawk congratulating the SWAT for the incident on Broad Avenue. Member Morris asking if someone could please answer Mr. DiGiacomo on why the animal control officer was not dispatched by the Police for the pit bull situation. Safety Director Ream will check on this matter. Member Fisher also thanking the Police and SWAT for the Trayvon rally and the quick apprehension on Maryland Avenue. He is really pleased with the efforts of Chief Lawver in his new position. Safety Director Ream is delighted to hear all of the positive feedback from Council over the last couple of weeks because normally the information given is for problems. He is sure that Chief Lawver is sharing this information with the patrol officers.

**ADJOURNMENT:** 8:01 P.M.

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, APRIL 9, 2012 @ 7:30 PM**