

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

CANTON CITY COUNCIL

APRIL 9, 2012

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#10; O#11 Adopted as Amended)

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 (TIMOTHY GILLEMS - 509 - 15TH ST NW FROM B-2 (NEIGHBORHOOD BUSINESS) TO PB-3 (PLANNED GENERAL BUSINESS) IN WARD 9 - PLANNING COMMISSION RECOMMENDED APPROVAL) (0 SPEAKERS) **O#51/2012**

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

PUBLIC SPEAKS (CITY BUSINESS): Marcia Zawacky re: Acknowledging Patricia Kirk for her endurance for the Tree Ordinance; Richard Drake re: Congratulating Patricia Kirk for all her hard work. Discussed the damage done to trees by AEP. Also talked about the fountain that was imported in from Italy and placed in the park that was broken by a child climbing on it; Paul Burt re: Member of the SE Neighborhood Association. Expressed the need for more lighting in his area; Darrell Austin re: Talked about the Neighborhood Associations. Also discussed City lots that he feels needs cleaned up on Ida Place; Collin Miller re: Talked about trees and bushes being cut down by City workers on his property and being robbed of antiques; Joyce Sumlin re: Spoke on behalf of the Neighborhood Leadership Council and the money they received; Patricia Kirk re: Told Council that she is very proud of them and advised that the whole State of Ohio is watching Canton.

INFORMAL RESOLUTIONS:

30. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF LOVIE HAILEY TO FAIR EMPLOYMENT BD RETRO FROM 3/1/12 - 2/28/15. - ADOPTED
31. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF VIRGINIA JEFFRIES TO FAIR EMPLOYMENT BD RETRO FROM 3/1/12 - 2/28/15. - ADOPTED

COMMUNICATIONS:

153. AUDITOR MALLONN: MONTHLY RPT BY FUND 3/1/12 - 3/30/12. - RECEIVED & FILED
154. AUDITOR MALLONN: YEARLY RPT BY FUND 1/1/12 - 3/30/12. - RECEIVED & FILED
155. CANTON WATER WORKS: 2011 ANNUAL REPORT. - RECEIVED & FILED
156. DEVELOPMENT DIRECTOR WILLIAMS: REQ EXTENSION OF THE ECONOMIC GROWTH INITIATIVE BUSINESS INCENTIVES. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
157. HAWK, G, ANNEX CHAIRMAN: REQ TO AMEND GEORGETOWN RD CEDA TO INCLUDE .0179 ACRE PARCEL OF PROPERTY INCLUDED IN THE BROAD AVE ANNEXATION. - ANNEXATION COMMITTEE
158. MAYOR HEALY: AUTHORIZE RE-APPT OF ROBERT FAY TO INCOME TAX REVIEW BD FROM 3/1/12 - 2/28/16. - PERSONNEL COMMITTEE
159. MAYOR HEALY: AUTHORIZE RE-APPT OF WILLIAM SHERER, II TO INCOME TAX REVIEW BD FROM 3/1/12 - 2/28/16. - PERSONNEL COMMITTEE
160. SAFETY DIRECTOR REAM: REQ TO PURCHASE 16 - 2012 CHEVROLET POLICE CRUISERS FROM TAYLOR CHEVROLET @ TOTAL COST OF \$507,624.00, 1 - 2012 FORD E350 CARGO VAN FROM GERMAIN FORD @ TOTAL COST OF \$24,105.00 & ADDTL EQUIP FOR THE 17 VEHICLES @ TOTAL COST OF \$48,000.00 FOR POLICE DEPT THROUGH STATE COOP PURCHASING PROG AS STATED IN ORC SEC 125.04. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
161. SERVICE DIRECTOR PRICE: REQ TO AMEND O#29/2012 TO REMOVE 3 SHEETS THAT REFLECT TOTAL AMT COLLECTED TO DATE. - JUDICIARY COMMITTEE
162. SERVICE DIRECTOR PRICE: REQ TO ENTER INTO TWO YR CONTRACT W/CAPITAL RECOVERY SYSTEMS FOR PURPOSES OF COLLECTING OUTSTANDING CITY DEBTS. - FINANCE COMMITTEE
163. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX FOR MARCH 2012. - RECEIVED & FILED
164. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR MARCH 2012. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. ESTABLISH FAIR MKT VALUE OF 1 PARCEL OF CITY-OWNED PROP; AUTHORIZE SALE & CONVEYANCE OF SAID PROP PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (SHARON BENDER - PARCEL #02-29786 - LOUISIANA AVE NW)
Referred to Community & Economic Development Committee
- 1ST RDG 2. ESTABLISH FAIR MKT VALUE OF 1 PARCEL OF CITY-OWNED PROP; AUTHORIZE SALE & CONVEYANCE OF SAID PROP PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (LATONYA WALKER - PARCEL #02-85789 - OBY PL NW)
Referred to Community & Economic Development Committee
- 1ST RDG 3. RESOLUTION ACCEPTING TAX INCENTIVE REVIEW COUNCIL'S RECOMMENDATIONS REGARDING ENTERPRISE ZONE TAX ABATEMENT AGMTS; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 4. AUTHORIZE DISCHARGE OF DEMO LIEN, ASSESSMENT, PENALTY & INTEREST ON PROPERTY @ 712 HOOVER PL NW; EMERGENCY
Referred to Judiciary Committee
- 1ST RDG 5. AUTHORIZE & CONSENT TO REPAIRING & UPGRADE OF LIGHT TOWERS, UNDERPASS LIGHTING & CONTROL CENTER ON 1-77 UNDER THE SUPERVISION OF DIR OF TRANSPORTATION OF STATE OF OHIO; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 6. AUTHORIZE SERV DIR TO ENTER INTO PROF ENGINEERING AGMT W/BURGESS & NIPLE IN AMT NOT TO EXCEED \$171,700.00 FOR PURPOSE OF PREPARING PLANS & SPECIFICATIONS FOR A CITY OF CANTON WATER, SEWER & STREET IMPROVEMENT PROJ ON 37TH ST NW; AMEND O#220/2011; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 7. AMEND EXHIBIT A TO O#100/2011, AS AMENDED, CLASSIFICATION PLAN & SALARIES FOR MGMT & NON-BARGAINING UNIT EMPLOYEES OF CITY; EMERGENCY (ADMIN III IN WATER DEPT)
Referred to Personnel Committee
- 1ST RDG 8. AMEND APPROP O#220/2011; EMERGENCY (\$100,000.00 - AUDITOR - ADMINISTRATION - PERSONNEL)
Referred to Finance Committee
- 1ST RDG 9. AUTHORIZE SERV DIR TO ENTER INTO PROF SVCS AGMT W/SQUIRE, SANDERS (US) LLP FOR PROVISION OF LEGAL SVCS ASSOCIATED W/BOND ISSUANCE & BOND FINANCING ALTERNATIVES RELATED TO ECONOMIC DEV; EMERGENCY
Referred to Finance Committee

ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#10)**

- 2ND RDG 10. 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 ORC SECTIONS 125.04 AND 5513.01; AMEND O#220/2011; EMERGENCY (PPCI)

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

- 50/2012 11. AMEND CHAPTER 917, TREES, OF THE CODIFIED ORDINANCES OF CITY OF CANTON
- 51/2012 12. AMEND O#55/77, AS AMENDED, ZONING; EMERGENCY (TIMOTHY GILLEMS - 509 - 15TH ST NW)
PUB HRG: 4/9/12 @ 7:30 PM
- 52/2012 13. AMEND O#220/2011; EMERGENCY (HEALTH DEPT TO CHANGE FUND NAME - \$75,000.00)
- 53/2012 14. AUTHORIZE CITY AUDITOR TO PAY \$3,248.40 TO PHILIP SEDLACKO; EMERGENCY
- 54/2012 15. 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
- 55/2012 16. 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
- 56/2012 17. AUTHORIZE & CONSENT TO SANITARY SEWER BETTERMENT @ A STRUCTURE OVER NIMISHILLEN CREEK; EMERGENCY
- 57/2012 18. AUTHORIZE & CONSENT TO RESURFACING OF STATE ROUTE 297 (RAFF RD) FROM US 30 TO STATE ROUTE 172 (W TUSC ST); EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**TUESDAY, APRIL 10, 2012 in Council Caucus Room at 5:00 P.M.**

Goals Meeting

MONDAY, APRIL 16, 2012 in Council Caucus Room at 6:30 P.M.

- 1) Finance Committee
- 2) Public Safety & Thoroughfares Committee
- 3) Community & Economic Development Committee
- 4) Judiciary Committee
- 5) Personnel Committee
- 6) Public Property Capital Improvement Committee

MISCELLANEOUS BUSINESS: Member Hawk re: Expressed the need to enforce the high grass Ordinance and holding homeowners responsible. Also discussed the need for a land banking program; Member Cirelli re: Asked what it costs per lot to mow because she saw a billboard that said mowing costs \$25.00 per lot of any size; Service Director Price re: Advised that the cost is approximately \$50.00 per lot but there are some larger lots and this includes all charges associated with the due process that the City has to serve; Member West re: Advising that on April 11th at 5:30 PM, he is starting a Ward 2 Neighborhood Executive Committee made up of Precinct Committeeman and Neighborhood Association Leaders, this is at 1000 12th Street. April 12th Stark County Minority Health will have its 9th annual dinner at Skyland Pines for \$5.00. April 21st will be B-Earth Day where they will gather at Nimisilla Park, cleaning, planting flowers and painting the tennis courts; Member Smith re: Advised Mr. Burt that she will work with him to get some lighting in his area. Also congratulating the SE Neighborhood Association and stated that she appreciates them and all of the Neighborhood Associations; Mayor Healy re: Congratulated and thanked all the citizens that are involved in Neighborhood Associations. Also thanked Patricia Kirk and advising her that he just signed the Tree Ordinance and it will go into effect in 30 days; Law Director Martuccio re: Advised Member Hawk that the program all of Council heard about a few weeks ago, the State sanctioned through the County Commissioners Program to help with passing property along more quickly that's been foreclosed upon and the County Commissioners have approved their role in it. Also thanked everyone for being there and also congratulated Ms. Kirk and everyone involved in the Tree Ordinance; President Schulman re: Discussed the Annual Water report and expressed that he strongly agrees with Tyler Converse's conclusion to the report. Also stated that the Law Director is preparing to send down the Water Commission legislation. Would like to ask that the Superintendent come in to discuss his concerns; Leader Dougherty re: Asked that Chief of Staff Price set that up for a future meeting; Chief of Staff Price re: Advised that the concern is that if there is drilling too close to the aquifer it can be contaminated. The mineral rights of the land have been leased around the Sugar Creek Water Treatment Plant by the oil and gas companies. There is no local authority to issue permits or zone them away from our water treatment plants; Member Dougherty re: Reminding everyone of the goals meeting Tuesday at 5:00 PM.

ADJOURNMENT: 8:35 PM**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, APRIL 16, 2012 @ 7:30 PM**