

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

CANTON CITY COUNCIL

JUNE 18, 2012

**ROLL CALL:** Eleven Members Present

**MOTION TO EXCUSE MEMBERS:** Member Griffin Absent

**INVOCATION:** Kevin Fisher, Ward 5 Council Member

**PLEDGE OF ALLEGIANCE:** President Allen Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#7 - O#9; Postponed Resolution #44 until 7/2/12 and Postponed O#11 until 7/16/12)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Richard Drake brought in literature about Stark Parks and about flooding issues from trees along with photos of trees on both Market and Cleveland Avenue. He is giving to the city by trimming and maintaining these trees in the cityscape. Pat Kirk seen trees being topped at the old McKinley High School on Saturday and informed the company that was working that this is illegal in Canton with the new Tree Ordinance. She was upset about the Planning Commission meeting for the replat at the former Kresge lot. Ruby Brogdon is sick of the vacant houses in the city. She had to fight to get some boarded up and now she will fight to get some demolished. She does not like having to look around all of the vacant houses to see her neighbors. Lois DiGiacomo-Jacobson is having a benefit/fundraiser for the biggest production ever to hit Canton on June 29, 2012 at 7:00 P.M. at the Palace Theater. This production of Caravan of Gospel is a true story of Gospel music and includes songs from Aretha Franklin and Sam Cook. Tim Strickland was here on behalf of the Independent Riders. They are not a motorcycle club or gang and want to be viewed as something positive for the community. They are doing a car wash at the O'Reilly's Auto Parts on Cleveland Avenue on Saturday from 9:00 A.M. until customers stop coming in. The proceeds will go towards the city parks and it is by donation only.

**INFORMAL RESOLUTIONS:**

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| 44. | COUNCIL-AS-A-WHOLE:       | COMMENDING JIM GRIFFIN FOR RECEIPT OF VOLUNTEER OF THE YEAR AWARD FROM KNIGHTS OF COLUMBUS. - <b>POSTPONED UNTIL 7/2/12</b>      |
| 45. | PERSONNEL COMMITTEE:      | REQ CONFIRMATION OF APPT OF BRIAN SKILES TO CANTON RECREATION BOARD EXPIRING 12/31/16. - ADOPTED                                 |
| 46. | PERSONNEL COMMITTEE:      | REQ CONFIRMATION OF APPT OF COREY MINOR SMITH TO INCOME TAX REVIEW BOARD EXPIRING 2/28/14. - ADOPTED                             |
| 47. | PERSONNEL COMMITTEE:      | REQ CONFIRMATION OF APPT OF AMY SHRIVER TO STARK COUNTY REGIONAL PLANNING COMMISSION FOR A 3 YR TERM EXPIRING 7/31/15. - ADOPTED |
| 48. | WEST, T. WARD 2 CNCL MBR: | CREATION OF DOWNTOWN GREEN SPACE NAMING COMMITTEE FOR FORMER KRESGE LOT. - ADOPTED   |
| 49. | WEST, T. WARD 2 CNCL MBR: | CREATION OF DOWNTOWN WALK OF FAME SUMMER WALKING PROGRAM. - ADOPTED  |

**COMMUNICATIONS:**

- |      |                                    |   |
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| 233. | APPLICANT, DGS DEVELOPMENT CO LTD: | REQ FOR ZONE CHG ON FAIRCREST AVE SW - PARCELS 8300004, 8300025 & 830026 FROM B-3 (NEIGHBORHOOD BUSINESS) TO PI-1 (PLANNED LIGHT INDUSTRIAL) FOR INDUSTRIAL SITE DEVELOPMENT FOR OIL & GAS SERVICES. - <b>WITHDRAWN</b> |
| 234. | LIQUOR CONTROL DIVISION (OHIO):    | REQ NEW D5I PERMIT FOR EDGEHILL INVESTMENTS LLC @ 111 CLEVELAND AVE S. - RECEIVED & FILED   |
| 235. | MAYOR WILLIAM HEALY:               | ADVISING OF RE-APPT OF LINDA BARNES TO CANTON CITY PLANNING COMMISSION FOR 6 YR TERM FROM 7/1/12 - 6/30/18. - RECEIVED & FILED  |
| 236. | MAYOR WILLIAM HEALY:               | AUTHORIZE APPT OF AMANDA STEWART TO COMMUNITY REINVESTMENT AREA HOUSING COUNCIL FOR 3 YR TERM RETRO FROM 6/1/12 - 5/31/15. - PERSONNEL COMMITTEE  |
| 237. | MAYOR WILLIAM HEALY:               | AUTHORIZE THE PROCESS TO INITIATE AN ALTERNATE BUDGET PLAN FOR 2013 BUDGET. - FINANCE COMMITTEE   |
| 238. | PLANNING COMMISSION:               | RECOMMEND APPRVL OF REPLAT OF LOTS 22, 23 AND 24 AKA THE KRESGE BLOCK, 300 BLOCK OF MARKET AVE N, WEST SIDE BY THE CITY OF CANTON. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE  |

**COMMUNICATIONS CONTINUED:**

239. PLANNING COMMISSION: RECOMMEND APPRVL OF REPLAT OF PART OF LOT 42554 ON 34<sup>TH</sup> ST NE AT MORRIS AVE NE FOR DON MOORE (PARCEL #306249). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
240. PLANNING COMMISSION: RECOMMEND WARD ASSIGNMENT & ZONING DESIGNATION FOR 1315 BOARD AVE NW BEING ANNEXED INTO THE CITY IN WARD 1 AND CLASSIFIED AS R-1A (SINGLE FAMILY RESIDENTIAL). - ANNEXATION COMMITTEE
241. PLANNING COMMISSION: RECOMMEND APPRVL OF ZONE CHG ON EAST SIDE OF HARMONT AVE NE OF PARCELS 306138, 305896, 10002406, 305898 FOR CENTRAL ALLIED ET. AT. FROM PI-1 (LIGHT INDUSTRIAL) TO PI-2 (HEAVY INDUSTRIAL) TO ACCOMMODATE PORTABLE PROCESSING MACHINE. - JUDICIARY COMMITTEE
242. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ENTER INTO 1 YR SUPPORT W/THE JAMES GROUP IN THE AMT OF \$38,139.20 FOR ONGOING SUPPORT & MAINTENANCE OF THE CITY'S ORACLE SOFTWARE LICENSES. - FINANCE COMMITTEE
243. SERVICE DIRECTOR PRICE: REQ LEGISLATION TO ADVERTISE, REC BIDS AND ENTER INTO CONTRACT IN AMT NOT TO EXCEED \$200,000.00 FOR THE EVALUATION OF THE LARGE AND CRITICAL WATER VALVES AND SUPP APPROP FROM UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 75812 WATER DISTRIBUTION FUND. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
244. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE CONSTRUCTION CONTRACT FOR CAPITAL PROJ AT INTERSECTION OF 38<sup>TH</sup> ST NW AND GUILFORD AVE; SUPP APPROP FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202092 CAPITAL FUND - 38<sup>TH</sup> ST NW & GUILFORD AVE INTERSECTION IMPROVEMENT PROJ GP 1175; AUTHORIZE AUDITOR TO DRAW WARRANTS UP RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
245. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE CONSTRUCTION CONTRACT FOR CAPITAL PROJ AT INTERSECTION OF 16<sup>TH</sup> ST NW AND MYRTLE; SUPP APPROP FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202093 CAPITAL FUND - 16<sup>TH</sup> ST NW ROADWAY PROJ GP 1176; AUTHORIZE AUDITOR TO DRAW WARRANTS UP RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
246. SERVICE DIRECTOR PRICE: REQ PARTICIPATORY LEGISLATION WITH ODOT TO RESURFACE THE PORTION OF HARRISON AVE OVER US30 (STA-BH2013, PID 93089, GP1186). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
247. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX ACCT FOR MAY 2012. - RECEIVED & FILED
248. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR MAY 2012. - RECEIVED & FILED
249. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 5/31/12. - RECEIVED & FILED
250. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 4/30/12. - RECEIVED & FILED

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

- 1<sup>ST</sup> RDG 1. DECLARE IMPROVEMENT OF CERTAIN REAL PROP LOCATED IN CITY OF CANTON TO BE A PUBLIC PURPOSE; DECLARE A PORTION OF SUCH PROP TO BE EXEMPT FROM REAL PROP TAXATION; COMPENSATE THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATE INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROP; REQUIRE ANNUAL SERV PYMTS IN LIEU OF TAXES; ESTABLISH A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; EMERGENCY (WEST TUSC FROM WHIPPLE TO 3<sup>RD</sup> ST)  
Referred to Community & Economic Development Committee

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

- 1<sup>ST</sup> RDG 2. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO A COOP DEVELOPMENT AGMT WITH D'AMICO SENIOR HEALTH CARE FOR DEVELOPMENT OF 3332 - 13<sup>TH</sup> ST NW; EMERGENCY  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 3. ADOPT DEPARTMENT OF DEVELOPMENT'S CITIZEN PARTICIPATION PLAN; EMERGENCY  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 4. AUTHORIZE SAF DIR TO ENTER INTO A PROF SERV CONTRACT FOR THE PART-TIME POSITION OF CRIME ANALYST WITHIN CANTON POLICE DEPARTMENT IN AMT NOT TO EXCEED \$20,000.00; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT WITH GERMAIN FORD FOR PURCHASE OF ONE 2012 OR 2013 FORD F-250, WITH APPLICABLE OPTIONS AND TWO 2012 OR 2013 FORD F-450 CAB AND CHASSIS, WITH APPLICABLE OPTIONS, IN AMT NOT TO EXCEED \$100,000.00 PURSUANT TO O.R.C. SECTION 125.04; EMERGENCY (COLLECTIONS SYSTEMS)  
Referred to Public Property Capital Improvement
- 1<sup>ST</sup> RDG 6. AUTHORIZE SERV DIR TO ENTER INTO A CONTRACT AMENDMENT WITH M-E COMPANIES FOR ADDITIONAL AMT NOT TO EXCEED \$35,900.00 FOR ENGINEERING SERV DURING BIDDING & OVERSIGHT SERV DURING CONSTRUCTION OF PHASE II OF WATER MAIN EXTENSION INTO THE VILLAGE OF HARTVILLE; EMERGENCY  
Referred to Finance Committee

**ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#7 - O#9)**

- 2<sup>ND</sup> RDG 7. AUTHORIZE CLERK OF COUNCIL & CITY ENGINEER TO ADD STREETS TO LIST OF GATEWAY CORRIDORS; EMERGENCY (PS&T)
- 2<sup>ND</sup> RDG 8. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (617 MCKINLEY AVE SW - FORMER WELLS ELEMENTARY SCHOOL & CITY SCHOOL ADMINISTRATIVE OFFICES FROM R-1A TO PR-4) (JUD) **PUB HRG 7/2/12 @ 7:30PM**
- 2<sup>ND</sup> RDG 9. AMEND APPROP O#220/2011, AS AMENDED, BY MAKING \$7,917.47 INTERFUND TRANSFER FROM UNAPPROP BAL OF 5216 207001 NORWOOD HILLS FUND TO UNAPPROP BAL OF 5201 207001 WATER FUND; EMERGENCY (FIN)

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

- 94/2012 10. AUTHORIZE MAYOR TO ENTER INTO AGMT W/STATE OF OHIO, DEPT OF REHAB & CORRECTION FOR RECEIPT OF THE FY 2013 COMMUNITY CORRECTIONS ACT GRANT IN AMT NOT TO EXCEED \$170,601.00; EMERGENCY

**POSTPONED UNTIL**

- 07/16/12 11. AUTHORIZE LAW DIR TO ENTER INTO CONTRACT W/N & T RAILROAD, REPUBLIC STEEL IN AMT OF \$1,672.00 TO PROVIDE PROSECUTORIAL SVCS RETRO TO 5/1/12 EFFECTIVE THROUGH 12/31/12; EMERGENCY
- 95/2012 12. AUTHORIZE SAF DIR TO ACCEPT GRANT FROM 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN AN AMT NOT TO EXCEED \$39,369.00 FOR POLICE DEPT; RATIFY ANY AGMT ENTERED INTO W/STARK COUNTY COMMISSIONERS REGARDING DISTRIBUTION OF GRANT FUNDS; AUTHORIZE AUDITOR TO RENAME FUND 2771 FROM 2011 BYRNE LOCAL SOLICITATION GRANT FUND TO THE 2012 LOCAL SOLICITATION BYRNE GRANT FUND; AMEND APPROP O#220/2011; EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, JULY 2, 2012 in Council Caucus Room at 6:30 P.M.**

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 3) Public Property Capital Improvement Committee
- 4) Personnel Committee

**MISCELLANEOUS BUSINESS:** Member Hawk announced a fundraiser at the Arcadia Grill on Thursday, July 21<sup>st</sup> for the Monumental 4<sup>th</sup> celebration and fireworks with the Army Band. This will be donations only and proceeds will benefit the 4<sup>th</sup> of July events. Member West stating that the amusement park rides at Nimisilla Park known as Noah's Ark will be closing and moving to another location. He thanked Members Cirelli and Smith for coming to the non-violence meetings that he will continue to hold. Member West is aware that his System of Care meeting was held the same night as the Planning Commission meeting but was not sure why that confused some about the replat of the Kresge lot being discussed. He did ask the Law Director to speak on this matter. Law Director Martuccio did not attend the Planning Commission meeting so he deferred any comments to the Service Director. Service Director Price stated the Planning Commission did recommend approval of this replat to make the parking area and the green space area separate lots. This is just simply a splitting of the lot and does not affect the property in any other way but cleaning up the property line. There will not be any "do over". Member Cirelli sent an email to several people in the administration about selling water to companies that are doing hydrofracking and wanted to know if the water we sell to townships can in turn be sold to these companies. Service Director Price provided the three ways that water is sold in Canton by residential, commercial and industrial services. He has been approached by a company to receive rates for a service connection. He did inform this company that they could make a proposal but any type of bulk sales at a guaranteed rate would need Council's approval. He does feel that we probably have sold water to the oil and

gas industry on a small scale. Member Cirelli read an article from the newspaper where Representative Schuring stated that Stark County in 2014 would be able to do some things with water and sewer funds that are not presently in the state laws. Service Director price stated that they are still trying to complete the correct lines for water and sewer hook up in the Faircrest area for the 11<sup>th</sup> Street Church of God as promised by the city some time ago. The state does not normally permit the use of sewer fund monies to be used to extend water mains but this plan will permit that to happen and allow this 800 acre annexation some better potential for development with the addition of water and sewer. There is nothing in this project that has anything to do with fracking. Member Cirelli thanked the Service Director for this explanation and stated that many people will be happy to know this information. Member Fisher also thanking Mr. Price since he has been working with the administration, the engineer and the church to solve this problem since he came into office. President Schulman thanked the administration for the Canton Marathon on Sunday. He has heard many positive comments. Mayor Healy thanked Steve Mears and the organization that made it happen. The administration did not have a lot to do with the event other than helping to provide services such as Street and Police Departments. He stated that this was a wonderful and emotional event. Member Dougherty joined with the organization last year to help put this all together and he was in charge of the logistics. He thanked all of the volunteers because without them this event would not have happened at the same level. He stated that many of the participants were very pleased with the inaugural Marathon and he is sure that it will continue to grow in this community.

**ADJOURNMENT:** 8:32 P.M.

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JULY 2, 2012 @ 7:30 PM**