

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

JULY 2, 2012

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: John Mariol, Ward 7 Council Member

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#13 - O#18; O#18 Adopted on 2nd Rdg; O#19 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 (STARK METROPOLITAN HOUSING AUTHORITY - 617 MCKINLEY AVENUE SW FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PR-4 (PLANNED MULTI-FAMILY) IN WARD 4 - PLANNING COMMISSION RECOMMENDED APPROVAL) **O#98/2012**
(NO SPEAKERS)

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Leland Pettis, Gail Nagel, Eric Vaughan, Christine Vaughan, Mary Daum, Darla Bruno, Greg Coleridge, Jonathan Marrero, Rosemary Hayne, Marcia Zawacky and Joel Masyjowski all discussing the issues and dangers of hydrofracking that may come with the possible sale of the mineral rights on some of the city owned properties. Pat Kirk wanted to present a letter to Mr. Price regarding an upcoming Planning Commission meeting and he was not in attendance. She also feels that every city should have green space in their downtown area and since Kresge came to Canton as a complex it should remain as, not all development is progress. James Parker thanked the Mayor's office for flying the football flags along with the other new flags in Central Plaza at the city square. He also thanked Member West for the naming of the Kresge lot and feels that whatever the new name is this space should be better maintained and given some attention. Jaime Jaime thanked all Members for the previous help with the deaf community issues. They have established a group now named Triad and hope to keep services here in Canton since Trillium will no longer provide them. Nicole Kelly thanked all and said that Triad will be trying to get back the contract for services and education of the deaf community. Jack Hawk thanked Member West and others for connecting them with Coming Together. There are only 2 weeks left to complete the RFP and he asks that both Council and the Mayor endorse Triad. He would like Canton to adopt a procedure to provide interpreters when needed for Council and other meetings, for first responders and any other services associated with the city to help the deaf and hearing impaired in the community. Triad now has an office with the support of Coming Together and a local hospital.

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. - ADOPTED |
| 50. | PERSONNEL COMMITTEE: | REQ CONFIRMATION OF APPT OF AMANDA STEWART TO COMMUNITY REINVESTMENT AREA HOUSING COUNCIL FOR 3 YR TERM RETRO FROM 6/1/12 - 5/31/15. - ADOPTED |

COMMUNICATIONS:

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| 251. | AUDITOR MALLONN: | REQ FOR ADDITIONAL AMENDED CERT DATED 6/20/12. - RECEIVED & FILED |
| 252. | COMM DEV DIRECTOR WILLIAMS: | AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ECONOMIC GROWTH INITIATIVE AGMT WITH CASE FARMS PROCESSING INC. & CASE FARMS, LLC FOR PROVIDING JOB CREATION TAX INCENTIVE. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE |
| 253. | FINANCE DIRECTOR DIRUZZA: | REQ ADOPTION OF ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING 12/31/13. - FINANCE COMMITTEE |
| 254. | NORTH POINT ENGINEERING: | NOTIFICATION OF PUBLIC MTG TO BE HELD ON 7/23/12 FOR OHIO EPA PERMIT FOR PROPOSED BULKING FACILITY FOR JMW TRUCKING SERV INC. - RECEIVED & FILED |
| 255. | SERVICE DIRECTOR PRICE: | REQ LEGISLATION TO PURCHASE 14 EASEMENTS FOR PHASE II OF THE HARTVILLE/LAKE TOWNSHIP WATER MAIN EXTENSION PROJ & MAKE PMTS TO PROP OWNERS. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE |
| 256. | SERVICE DIRECTOR PRICE: | AUTHORIZE SERV DIR TO ENTER INTO AGMT WITH ONE COMMUNITY TO CONSTRUCT FIBER OPTIC COMMUNICATION LINES FROM WEST CORP LIMIT ALONG 13 TH ST NW TO MERCY MEDICAL CTR & EVENTUALLY BE EXTENDED TO OTHER ANCHOR INSTITUTIONS IN CANTON. - FINANCE COMMITTEE |

COMMUNICATIONS CONTINUED:

257. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO EXECUTE FINAL CHG ORDER (#2) TO CITY PAVING CONTRACT #2011-50 GP 1162 WITH CENTRAL ALLIED ENTERPRISES IN AMT OF \$15,000.00; AUTHORIZE & DIRECT AUDITOR TO PAY FINAL CHG ORDER AS MORAL OB AND DRAW WARRANTS & MAKE PMTS. - FINANCE COMMITTEE
258. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONSULTANT CONTRACT BETWEEN CITY AND GPD INC FOR ENG SERV RELATED TO MAHONING RD CORRIDOR (MAPLE TO GRACE) GP 1103, PID'S 90365 (ROADWAY) AND 91594 (UTILITIES); MAKE SUPP APPROP FROM 4566 MAHONING RD CORRIDOR PROJ, GP 1103 FUND, UNAPPROP BAL TO 4566-202079 MAHONING RD CORRIDOR PROJ, GP 1103 FUND; AUTHORIZE CITY TO APPLY FOR AND RECEIVE GRANT PERTAINING TO THIS PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
259. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO EXECUTE NECESSARY STORM SEWER EASEMENT AGMT WITH DEVILLE DEVELOPMENTS AND PERMIT SERV DIR TO MAKE ANY NECESSARY MODIFICATIONS TO EASEMENT AGMT PRIOR TO EXECUTION OF SAME. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
260. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 5/31/12. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS AND ENTER INTO A LEASE AGMT(S) FOR MINERAL RIGHTS ON SELECTED CITY OWNED PROPERTIES
Referred to Finance Committee
- 1ST RDG 2. AMEND SECTION 181.14, ALLOCATION OF FUNDS, OF CODIFIED ORDINANCES (STREET LIGHT UTILITY PAYMENTS)
Referred to Finance Committee
- 1ST RDG 3. AMEND SECTION 181.05, RETURN AND PAYMENT OF TAX; REFUND, AND SECTION 181.15, CREDIT FOR TAX PAID TO OTHER MUNICIPALITY AND JOINT ECONOMIC DEVELOPMENT DISTRICT, OF CODIFIED ORDINANCES
Referred to Finance Committee
- 1ST RDG 4. APPROVAL & ACCEPT THE REPLATTING OF LOTS 22, 23 AND 24; EMERGENCY (KRESGE LOT @ 300 N MARKET FOR CITY OF CANTON)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 5. APPROVAL & ACCEPT THE REPLATTING OF LOT 42554; EMERGENCY (34TH AND MORRIS NE FOR DON MOORE)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 6. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (PARCELS 306138, 305896, 10002406 AND 305898 FOR CENTRAL ALLIED ON HARMONT NE)
Referred to Judiciary Committee **PUB HRG 7/30/12 @ 7:30 P.M.**
- 1ST RDG 7. AUTHORIZE CANTON TO ANNEX THE TERRITORY KNOWN AS THE BROAD AVENUE ANNEXATION AREA CONTAINING APPROX .179 ACRES; ASSIGNING SAID TERRITORY TO WARD 1 AND ZONING AS R-1A (SINGLE FAMILY RESIDENTIAL); EMERGENCY (1315 BROAD AVE NW)
Referred to Annexation Committee **PUB HRG 7/30/12 @ 7:31 P.M.**
- 1ST RDG 8. AUTHORIZE SERV DIR TO ENTER INTO 1 YR SUPPORT CONTRACT WITH THE JAMES GROUP IN AMT NOT TO EXCEED \$38,139.20 FOR ONGOING SUPPORT & MAINTENANCE OF CITY'S ORACLE SOFTWARE LICENSES PURSUANT TO O.R.C. SECTION 125.04; EMERGENCY
Referred to Finance Committee
- 1ST RDG 9. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT IN AMT NOT TO EXCEED \$200,000.00 FOR EVALUATION OF LARGE & CRITICAL WATER VALVES AS PART OF THE WATER DEPT'S VALVE MAINTENANCE PROG & GEOGRAPHICAL INFORMATION SYSTEM (GIS) MAPPING PROG; AMEND APPROP O#220/2011; EMERGENCY
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 10. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO A CONSTRUCTION CONTRACT FOR CONSTRUCTION OF 38TH ST NW & GUILFORD AVE INTERSECTION IMPROVEMENT PROJ, GP 1175; AMEND APPROP O#220/2011; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 11. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO A CONSTRUCTION CONTRACT FOR CONSTRUCTION OF 16TH STREET NW ROADWAY PROJ, GP 1176; AMEND APPROP O#220/2011; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 12. AUTHORIZE & CONSENT TO RESURFACING OF HARRISON AVENUE (CR254) FROM SLM 9.41 TO SLM 9.57 WITHIN CITY OF CANTON; EMERGENCY
Referred to Public Property Capital Improvement Committee

**ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#13 - O#18; O#18 ADOPTED)**

- 2ND RDG 13. 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 3RD ST) (C&ED)
- 2ND RDG 14. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO A COOP DEVELOPMENT AGMT WITH D'AMICO SENIOR HEALTH CARE FOR DEVELOPMENT OF 3332 - 13TH ST NW; EMERGENCY (C&ED)
- 2ND RDG 15. ADOPT DEPARTMENT OF DEVELOPMENT'S CITIZEN PARTICIPATION PLAN; EMERGENCY (C&ED)
- 2ND RDG 16. 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) (PPCI)
- 2ND RDG 17. 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 (FIN)
- 96/2012 18. 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 (FIN)

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

- 97/2012 19. AUTHORIZE CLERK OF COUNCIL & CITY ENGINEER TO ADD STREETS TO LIST OF GATEWAY CORRIDORS; EMERGENCY
- 98/2012 20. 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) **PUB HRG 7/2/12 @ 7:30PM**
- 99/2012 21. 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, JULY 16, 2012 in Council Caucus Room at 6:00 P.M.**

- 1) Finance Committee
- 2) Public Safety & Thoroughfares Committee
- 3) Public Property Capital Improvement Committee
- 4) Judiciary Committee
- 5) Annexation Committee

MISCELLANEOUS BUSINESS: Member Hawk reading a piece of literature that was left for all about water and drilling back in 1955 and the property mentioned is what is now the Sugarcreek Water Shed. Member Fisher thanked all 19 speakers especially Mr. Coleridge. He had originally heard him speak last year and feels he has a wealth of knowledge on many subjects. He has heard the peoples concerns about fracking and he will be voting no on the issue. Member Cirelli appreciates the gentleman that read the Resolution regarding the moratorium. She has attended several meetings and has only heard bad things all of which are now coming true. Water is the only thing that we can never make. She asks about the status of the Water Commission and states she will always be against hydrofracking. She requested that the downtown green space which is now the brown space be watered because it will always be the Kresge lot to her. Member Cirelli asks the Mayor if Canton is selling water to companies that are now fracking. Mayor Healy says that the Water Department has patched so many cracks in the system that they are saving up to 5 million gallons that was previously leaking in to the earth and that one or two wells may have been drilled with water from Canton aquifers. Member Cirelli points out about the Kresge information that was provided to all tonight shows just how important the Kresge name and family are as they still provide grants for the arts so she feels the renaming of this lot on July 4th may be harmful to Canton. Member West says yes the new name will be announced on July 4th and he will be applying

for some of the grants available to city from the Kresge family. Member Cirelli would like something done about all of the anti-semitic literature that has been received by several Council Members both at the office and at their homes. She thinks that most people are aware of who is sending this and they should be stopped. Member West announced the July 10th kick off of the Downtown Walk of Fame to promote walking and healthy lifestyles. He asks all Members and the community to come to the square at noon that day. He thanked Ed Balint and The Repository for the article on the contest of renaming the lot at 300 Market Avenue North. Over 300 names were submitted in an effort to ignite downtown and have fun with this. The Committee will continue to work on the block moving forward regardless of the name because all of downtown needs work. He also asked the Mayor why he would be denied \$700.00 worth of supplies for a summer youth program at Nimisilla Park from the Recreation Board. He was just looking for some basketballs, art and craft supplies, etc and was told this could not happen. Mayor Healy says the Rec Board is funded by a levy and is independent from both the administration and Council. Member Hawk announced an Annexation Committee meeting on July 16th at 6:00 P.M. Mayor Healy states that the city will receive a COPS grant in the amount of \$821,000.00. This is a grant that he thought we would not be receiving. There are a few stipulations in this grant that were not previously including relating to how the money is used for veterans and it will also now be spaced over a three year period. He also attended a Team NEO conference and Canton received an award for promoting new business. VXI Global has hired over 800 employees in their first year and is the largest new business in Ohio. President Schulman says the leasing of mineral rights will be discussed at the next meeting and the Water Commission report will be available soon. This is a very difficult issue and the balance of jobs vs the resources of water is something that must be thought through by all. The Service Director and the Water Superintendent should share their concerns about the aquifers and the water that gets flushed into the ground during the fracking process. Member West congratulates the Mayor and he went over to VXI Global last week and seen some people from Ward 2 employed there. Member Dougherty asked that the Mayor look real close at the COPS grant and how the dollars can be used towards veterans. He wonders if this money could be used for existing veterans on the police force and not only for new hires into the department. Mayor Healy says that this is for the department and not just new hires but civil services rules will also be in effect. Safety Director Ream will be working with the agency providing the grant because they have permitted exceptions in the past. Member Dougherty informs all that the Committee created for the naming of the Kresge lot will be kept intact to take this location to the next level. They would like to see about having a stage put there, adding a sprinkler system and placing a flag pole on the property. This area needs to be maintained in a much better fashion.

ADJOURNMENT: 9:04 P.M.