

**FINAL
AGENDA
7:30 PM**

CANTON CITY COUNCIL

AUGUST 13, 2012

ROLL CALL: Twelve Council Members Present

MOTION TO EXCUSE MEMBERS: President Allen Schulman

INVOCATION: David Dougherty, Ward 6 Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem David Dougherty

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#10 - O#18, C#312, and 1st Rdg O#9A; O#9A Adopted on 1st Rdg; O#19 Adopted as Amended; O#20 Postponed until 8/27/12)

PUBLIC HEARINGS: None

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

PUBLIC SPEAKS (CITY BUSINESS): Pete DiGiacomo re: Relayed information regarding vandalism at the train station; Rosetta Johnson, Joanne Garrett and Samuel Mohammad re: Discussed recent shootings; James Parker re: Described his plan to design a football heritage corridor; Andy Black, Leon Cote, Kim Bennett, Joel Laecke, Donald Schneider, Lynda Tuttle re: Discussed opposition of dissolving the park board Ordinance; Kathryn Ramsey re: Relayed problems in the Northeast section of Canton; Nicole Maske and Hundlean Maske re: Discussed the accidental shooting at the Parade Route.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

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| 293. | AUDITOR MALLONN: | YEARLY RPT BY FUND 1/1/12 - 7/31/12. - RECEIVED & FILED |
| 294. | AUDITOR MALLONN: | MONTHLY RPT BY FUND 7/1/12 - 7/31/12. - RECEIVED & FILED |
| 295. | AUDITOR MALLONN: | REQUEST FOR ADDT'L AMENDED CERTIFICATE DATED 7/30/12. - RECEIVED & FILED |
| 296. | AUDITOR MALLONN: | REQUEST FOR ADDT'L AMENDED CERTIFICATE DATED 8/3/12. - RECEIVED & FILED |
| 297. | DIRECTOR OF DEVELOPMENT WILLIAMS: | REQ \$47,493.54 APPROP TRANSFER TO THE HOMELESS PREVENTION & RAPID REHOUSING PROG FUND TO REPLACE CDBG FUNDS PAYING SALARIES & BENEFITS FOR STAFF ADMINISTERING THE PROG. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE |
| 298. | DIRECTOR OF DEVELOPMENT WILLIAMS: | REQ \$15,286.46 APPROP TRANSFER TO THE COMMUNITY DEV RECOVERY ACT PROG FUND TO REPLACE CDBG FUNDS PAYING SALARIES & BENEFITS FOR STAFF ADMINISTERING THE PROG. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE |
| 299. | HEALTH COMMISSIONER ADAMS: | REQ TO APPROP \$25,000.00 TO PERSONNEL LINE ITEMS IN FUND 2323 PREP FUND & 54,000.00 TO OTHER LINE ITEMS IN FUND 2323 PREP FUND (\$158,000.00 OH DEPT OF HEALTH FOR PERSONAL RESPONSIBILITY EDUCATION PROG FROM 1/1/12 - 7/31/13). - FINANCE COMMITTEE |
| 300. | MARIOL, J, WARD 7 CNCLMBR & MACK, E, WARD 8 CNCLMBR: | REQ TO AUTHORIZE SERV DIR TO ISSUE REQUEST FOR PROPOSALS TO LOCAL MARKETING FIRMS WHO ARE QUALIFIED TO PREPARE A CORPORATE PARTNERSHIP PLAN FOR THE CITY, INCORPORATING POTENTIAL REVENUE GENERATING ELEMENTS. - FINANCE COMMITTEE |
| 301. | SAFETY DIRECTOR REAM: | REQ RECONSIDERING AUTOMATED TRAFFIC ENFORCEMENT & EFFECTUATE NECESSARY CHANGES TO CODIFIED ORDINANCES IN TANDEM W/APPROVING REDFLEX TRAFFIC SYSTEMS AS OUR AUTOMATED TRAFFIC ENFORCEMENT PROVIDER; REQ LEGISLATION BE APPROVED FOR PROF SVCS CONTRACT W/REDFLEX TRAFFIC SYSTEMS; AMEND CODIFIED ORDINANCES TO ALLOW FOR AUTOMATED TRAFFIC ENFORCEMENT VIOLATIONS TO BE DEEMED A CIVIL OFFENSE. - FINANCE & JUDICIARY COMMITTEES |
| 302. | SERVICE DIRECTOR PRICE: | REQ AUTHORIZATION TO ADVERTISE, REC BIDS & AWARD & ENTER INTO CONTRACT TO INSTALL EQUIPMENT TO REPAIR THE HEATING & COOLING SYSTEM AT CITY OWNED SEARS BLDG. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE |
| 303. | SERVICE DIRECTOR PRICE: | INFORMING THAT CITY WILL BE ENTERING INTO A PLA FOR WRF BIOFILTER MEDIA REPLACEMENT PROJ. - RECEIVED & FILED |
| 304. | SERVICE DIRECTOR PRICE: | REQ TO REITERATE AUTHORITY FOR SERV DIR TO ENTER INTO AGMTS W/PROP OWNERS FOR CONSTRUCTION OF CITYSCAPE PROJS AS DETAILED IN CHAPTER 921 OF CODIFIED ORDINANCES & RECOGNIZING THAT THE |

304. **CONTINUED -** EXPENDITURES RESULTING FROM SOME OF THESE AGMTS ARE IN EXCESS OF \$20,000.00; AUTHORIZE CITY ENGINEER TO GENERAL CONTRACT FOR PORTIONS OF CITYSCAPES; MAKE \$375,000.00 SUPP APPROP FROM UNAPPROP BAL OF 4501: CAPITAL FUND TO 4501-202001: CAPITAL FUND - ENGINEERING ADMIN; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
305. SERVICE DIRECTOR PRICE: REQ TO ENTER INTO CONTRACT FOR PAPER, SUPPLIES, TONER, MISC NEEDED FOR CITY W/THE CONTRACT VENDOR, STAPLES CONTRACT & COMMERCIAL, INC FOR AMT NOT TO EXCEED \$25,000.00. - FINANCE COMMITTEE
306. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION TO NEGOTIATE FAIR MKT VALUE OR DONATE TO STATE OF OH AN EASEMENT OR DEED NECESSARY FOR ODOT TO CONSTRUCT STORM SEWER ACROSS CITY PROPERTY 37TH ST SE & SHORE DR SE TO NIMISHILLEN CREEK. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
307. SERVICE DIRECTOR PRICE: REQ TO AMEND APPROP O#220/2011 W/VARIOUS SUPP APPROPS FOR NEW CEILING IN POLICE DEPT & CAPITAL FOR SEWER CASTINGS, EQUIPMENT & REPAIRS IN COLLECTION SYSTEM & VARIOUS EQUIPMENT PURCHASES FOR ADMIN, OPERATIONS & TRAINING FOR FIRE DEPT (\$125,500.00 & \$5,000.00). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
308. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX ACCT FOR JULY 2012. - RECEIVED & FILED
309. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR JULY 2012. - RECEIVED & FILED
310. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 7/31/12. - RECEIVED & FILED
311. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 7/31/12. - RECEIVED & FILED
312. SERVICE DIRECTOR PRICE: RATIFY CONTRACT OF AFSCME LOCAL 3449 WITH CITY OF CANTON EFFECTIVE 1/1/12 THROUGH 12/31/13. - FINANCE AND PERSONNEL COMMITTEES

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 (PARCEL #02-00349 - 4TH ST NE - FREDERICK L POORE JR & HILDA BERNICE POORE)
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 (PARCEL #02-00913 - 3RD ST NE - PERRY & MARTHA MILES)
Referred to Community & Economic Development Committee
- 1ST RDG 3. 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 (PARCEL #02-24170 - WELLS AVE NW - JACK & PAULA MCCOURY)
Referred to Community & Economic Development Committee
- 1ST RDG 4. 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 (PARCEL #02-12182 - RAYNOLDS PL SW - KATHRYN VANDEBOGART)
Referred to Community & Economic Development Committee
- 1ST RDG 5. AMEND DOLLAR AMTS IN O#76/2012; EMERGENCY (IN SECTION 1 FROM \$240,000.00 TO \$360,000.00 AND IN SECTION 3 FROM \$27,000.00 TO \$40,000.00)
Referred to Community & Economic Development Committee
- 1ST RDG 6. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/HABITAT FOR HUMANITY OF GREATER STARK & CARROLL COUNTIES, INC FOR ADDT'L \$20,000.00 TO COMPLETE CONSTRUCTION OF 3 HOMES FOR LOW TO MODERATE INCOME FAMILIES; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 7. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/THE AREA AGENCY ON AGING IN ORDER TO PURCHASE FARMER'S MARKET FOOD VOUCHERS FOR LOW TO MODERATE INCOME CANTON CITIZENS AGE 60 & OLDER; EMERGENCY
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

1ST RDG 8. AUTHORIZE SAF DIR TO ACCEPT GRANT FROM OH DEPT OF PUB SAFETY IN AMT NOT TO EXCEED \$2,500.00; AMEND APPROP O#220/2011 BY MAKING 2,500.00 SUPP APPROP TO 2812 103001 FIRE DEPT EMS GRANT - OTHER; EMERGENCY
Referred to Finance Committee

1ST RDG 9. AUTHORIZE SERV DIR TO ENTER INTO ALL NECESSARY PURCHASE ORDERS ASSOCIATED W/THE BUP REARICK PARK IMPROVEMENT PROJ; EMERGENCY
Referred to Public Property Capital Improvement Committee

(COUNCIL RECESSED AT 8:25 PM FOR THE FINANCE AND PERSONNEL COMMITTEES TO DISCUSS ORDINANCE #9A; RECONVENED AT 8:33 PM)

116/2012 9A. APPROVE TWO-YEAR COLLECTIVE BARGAINING AGMT BETWEEN THE CITY OF CANTON AND AFSCME LOCAL 3449/OHIO COUNCIL 8; EMERGENCY
Referred to Finance and Personnel Committees

**ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#10 - O#18)**

2ND RDG 10. AMEND PART THIRTEEN - BUILDING CODE OF CODIFIED ORDINANCES OF THE CITY OF CANTON BY THE ADDITION OF CHAPTER 1353; FORECLOSED PROP & BLDGS (JUD)

2ND RDG 11. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH YOUNG MEN'S CHRISTIAN ASSOCIATION (YMCA) FOR AMT NOT TO EXCEED \$50,000.00 FOR OVERALL MGMT & SUPERVISION OF FACILITY AND PROGRAMMING AT EDWARD "PEEL" COLEMAN CENTER; EMERGENCY (FIN)

2ND RDG 12. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO JOB CREATION TAX INCENTIVE AND NET PROFITS INCENTIVE AGMTS WITH GENERAL ELECTRIC OIL & GAS COMPANY; EMERGENCY (C&ED)

2ND RDG 13. AMEND APPROP O#220/2011; EMERGENCY (\$65,000.00 - POLICE ADMIN) (FIN)

2ND RDG 14. AMEND PART THIRTEEN - BUILDING CODE OF CODIFIED ORDINANCES (JUD)

2ND RDG 15. AUTHORIZE SERV DIR TO ENTER INTO \$130,000.00 CONTRACT MODIFICATION #1 WITH ARCADIS US, INC FOR NEXT PHASE OF SEWER MAPPING & MODELING PROJ, GP 1130; AMEND APPROP O#220/2011; EMERGENCY (PPCI)

2ND RDG 16. AUTHORIZE MAYOR AND/OR SERV DIR TO APPLY FOR, ENTER INTO AGMT & ACCEPT FUNDS FOR 2013 PROG YEAR FROM OHIO PUBLIC WORKS COMMISSION; EMERGENCY (FIN)

2ND RDG 17. AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE CHANGE ORDER #2 WITH ABBOTT ELECTRIC, INC IN AMT NOT TO EXCEED \$37,402.83 FOR LIGHTING RETROFIT CONTRACT, GP 1134; AMEND APPROP O#220/2011; AUTHORIZE MAYOR AND/OR SERV DIR TO APPLY FOR & TAKE RECEIPT OF AEP ENERGY EFFICIENCY GRANTS; EMERGENCY (FIN)

2ND RDG 18. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR THE CONSTRUCTION OF PICNIC SHELTER AS PART OF THE FAIRHOPE NATURE PRESERVE, GP 1128; REC LWCF FUNDS (TRAC) IN AMT OF \$39,200.00 FOR PROJ; AMEND APPROP O#220/2011; AUTHORIZE CITY ENGINEER TO GENERAL CONTRACT THE DEVELOPMENT OF TRAILS, PARKING AREAS & PARK FACILITIES; EMERGENCY (PPCI)

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

117/2012 19. 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

POSTPONED UNTIL

8/27/12 20. REPEALING THE INITIATED ORDINANCE ADOPTED BY THE ELECTORS OF CITY IN 1920 ESTABLISHING THE BOARD OF PARK COMMISSIONERS & DISSOLVING SAID BOARD; REPEALING SECTION 539.15, PARK POLICE, OF CHAPTER 530, PARKS & PLAYGROUNDS, OF CODIFIED ORDINANCES

118/2012 21. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO JOB CREATION TAX INCENTIVE AGMT W/CASE FARMS PROCESSING INC & CASE FARMS LLC; EMERGENCY

119/2012 22. ADOPTING CITY'S ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING 12/31/13; EMERGENCY

120/2012 23. AUTHORIZE SERV DIR TO PURCHASE 14 EASEMENTS IN CONJUNCTION W/HARTVILLE/LAKE TOWNSHIP WATER MAIN EXTENSION PROJ; EMERGENCY

121/2012 24. AUTHORIZE SERV DIR TO ENTER INTO AGMT W/ONE COMMUNITY TO CONSTRUCT FIBER OPTIC COMMUNICATION LINES WITHIN CITY; EMERGENCY

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

- 122/2012** 25. AUTHORIZE MAYOR &/OR SERV DIR TO EXECUTE FINAL CHANGE ORDER (#2) FOR 2011 CITY PAVING CONTRACT NO. 2011-50 GP 1162 W/CENTRAL ALLIED ENTERPRISES IN AMT OF \$15,000.00; AUTHORIZE AUDITOR TO PAY \$15,000.00 TO CENTRAL ALLIED ENTERPRISES; EMERGENCY
- 123/2012** 26. AUTHORIZE SERV DIR TO ENTER INTO CONSULTANT CONTRACT W/GLAUS, PYLE, SCHOMER, BURNS & DEHAVEN INC FOR ENGINEERING SVCS RELATED TO MAHONING RD CORRIDOR (MAPLE TO GRACE) GP 1103; APPLY FOR & REC GRANTS PERTAINING TO PROJ; AUTHORIZE AUDITOR TO ESTABLISH 4566 MAHONING RD CORRIDOR PROJ GP 1103 FUND; AMEND APPROP O#220/2011; EMERGENCY
- 124/2012** 27. AUTHORIZE SERV DIR TO EXECUTE STORM SEWER EASEMENT AGMT W/DEVILLE DEVELOPMENTS TO REALIGN AN EXISTING STORM SEWER OWNED BY CITY; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, AUGUST 27, 2012 in Council Caucus Room at 6:30 P.M.**

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

MISCELLANEOUS BUSINESS: Member Fisher re: Thanked Director Williams for the work he did on securing an agreement with GE Oil and Gas to employ local workers; Member Morris re: Talked about the possibility of bringing the gang task force back. Also discussed the recent shootings in his neighborhood; Member West re: Thanked Zutali for starting the new crime watch program on Logan. Acknowledged the Hall of Fame for doing an excellent job. Asked about getting CIRV back using forfeiture funds. Asked about the status of the Animal Control Officer; Director Ream re: Advised Member West that the Animal Control Officer position has not yet been filled; Member West re: Asked for an update on the consolidation of the Health Departments and the Building Departments; Member Cirelli re: Asked if there is a place that people can go when they are on house arrest so as not to jeopardize their family's safety; Director Ream re: Advised Member Cirelli that they would have to petition the Court. Addressed Member Morris' statement about their discussion regarding the gang task force. Advised Mr. DiGiacomo that the Police Department has been in communication with the Cuyahoga Valley Scenic Railroad for the past 3 weeks regarding the problems that they are having. Advised that he spoke with Member West and Mrs. Johnson last week regarding the shootings they discussed and referred Mrs. Johnson to the detectives that are looking into the shootings and requested they make contact; Member Cirelli re: Asked Director Ream who investigates the police department; Director Ream re: Advised that there is an internal affairs department internally but if someone believes that to be inadequate, the State's Attorney General's Office, the Department of Justice and the FBI have the jurisdiction to come in and launch investigations; Law Director Martuccio re: Advised that there is also a Citizen's Review Board in place that reviews the work that is done by Internal Affairs.

ADJOURNMENT: 9:12 PM _____

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 27, 2012 @ 7:30 PM