

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

CANTON CITY COUNCIL

SEPTEMBER 17, 2012

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Joseph Cole, Council-At-Large

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#9 - O#17; O#21 Defeated; O#22 Postponed Indefinitely; O#25 Adopted as Amended)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Rod Pisani as President of Summit United Neighbors speaking in support of the cameras. While he understands they are for traffic matters he hope that if a major crime would be viewed it would still be addressed. Their neighborhood had previously applied for cameras and were awarded cameras. Wayne Jamison says an article was in the newspaper about the county getting \$14,000,000.00 and that the city was to receive \$7,000,000.00 of that. He is asking what will be done with these funds. Leroy Lynch is concerned that when he spoke on August 27, 2012, the interpreter misunderstood and he was not interpreted correctly. He is frustrated because what he was trying to say is that the missing documents from the Law Department need to be investigated so that the workers can be brought back. Dan Fonte is speaking out against the cameras. These are unconstitutional and play the role of prosecutor, jury and judge. This is no way to generate revenue for the city. He is also having a problem with his water bill. He received an estimated bill and was told by the Water Department never to pay an estimated bill. There are thousands of meters in the city not working correctly and this needs addressed. Harry Murutes is against the traffic cameras. He is concerned about the times when you are waiting to turn left or right and the light changes. Would that be concerned a violation? If there would be a traffic accident and he is waved through, is this a violation? Who will look at the exceptions. Kathy Conde is embarrassed to be a Democrat. The Mayor's mistake with the credit card would be considered a theft in office by many. When is enough, enough. She has lost hope that Council, the Law Department and the Police force do not have what it takes to move this city forward. When elected you all promised to give your best and that should include honesty and integrity. This must be demanded of yourselves and of others. Mervin Rininger says the cameras are a short term solution to a long term problem with the budget. Does the Mayor have any plans to bring in more jobs such as VXI. They need to look at long term solutions to move the city forward. Andrew Procyk states there is a lot of crime n the Gibbs School area and he wants cameras in the area to possibly help with criminals. Pete DiGiacomo is in favor of cameras in school zones to stop speeding and make a little money for the city. He does feel that Council should hold off in the vote until all of the details are worked out in the contract terms. Dan Albett tells all that Redflex is a company that outsources the work. Some Members may have the idea that these may also be used to fight crime but the contract does not permit any use beyond traffic violations. The Mayor has stated that the revenue generated from cameras has been included in the 2013 budget. He stated that there were no public hearings regarding this matter like were held in 2009 so it must be about money and not about safety.

INFORMAL RESOLUTIONS:

55. COUNCIL-AS-A-WHOLE: URGING US CONGRESS AND THE PRESIDENT TO ENACT NEW LEGISLATION & REVERSE THE CURRENT DECLINE IN WATER INFRASTRUCTURE. - ADOPTED
56. COUNCIL-AS-A-WHOLE: SUPPORTING THE INTERNATIONAL DAY OF PEACE. - ADOPTED

COMMUNICATIONS:

346. DEPT OF COMMERCE: NOTICE OF HRG REGARDING TRANSFER OF OWNERSHIP FOR DG HOLDING & MGMT CO, INC., DBA THE SPOT @ 2600 8TH ST NE & PATIO ON 10/3/12 AT 1:45 P.M. - RECEIVED & FILED
347. PLANNING COMMISSION: RECOMMEND APPRVL OF REPLAT FOR CANTON POLICE & FIREMAN'S CREDIT UNION, PARTS OF LOTS 253 AND 254 ON SE CORNER OF 6TH ST NW & MCKINLEY AVE. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
348. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR REMOVAL & REPLACEMENT OF EXISTING ROOF SYSTEM AT FORMER SEARS BLDG IN AMT NOT TO EXCEED \$300,000.00. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND APPROP ORDINANCE NO. 220/2011; EMERGENCY (\$10,000.00 FAIR HOUSING)
Referred to Finance Committee
- 1ST RDG 2. AUTHORIZE SAF DIR TO EXTEND CONTRACT WITH OHIO BILLING, INC. FOR ONE ADDTL YR;
EMERGENCY
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZE SAF DIR TO ENTER INTO 3 YR LICENSE & DISPATCHING AGMTS WITH N&T RAILROAD
TO ALLOW ACCESS TO OUR 800 MHZ SYSTEM FOR RADIO COMMUNICATION FOR SAFETY
FORCES; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 4. AUTHORIZE SERV DIR TO SOLICIT, REC BIDS & EXECUTE SALE OF PARCEL NO. 280824 WHICH IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES; EMERGENCY (FORMER FIRE STATION #9 @ 19TH STREET AND MARKET AVE NW)
Referred to Finance Committee
- 1ST RDG 5. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR PURCHASE OF VARIOUS VEHICLES FOR SANITATION DEPT; AUTHORIZE SERV DIR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO THE STATE COOP PURCH AGMT AND/OR OHIO DEPT OF TRANSPORTATION PURCH AGMT; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 6. AUTHORIZE SERV DIR TO ACCEPT COST ESTIMATE FROM JACK DOHENY SUPPLIES IN AMT NOT TO EXCEED \$50,000.00 & ENTER INTO CONTRACT TO MAKE REPAIRS & REBUILD COMPONENTS ON VACUUM SYSTEM OF VACTOR UNIT 4362 FOR COLLECTION SYSTEMS DEPT; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 7. AUTHORIZE CITY AUDITOR TO PAY \$186,597.67 TO BROWNFIELD RESTORATION GROUP; EMERGENCY
Referred to Finance Committee
- 1ST RDG 8. AMEND APPROP O#220/2011; EMERGENCY (\$399,995.00 FROM 5201 WATER FUND AND \$22,000.00 FROM 5410 SEWER FUND)
Referred to Public Property Capital Improvement Committee

ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#9 - O#17)**

- 2ND RDG 9. AMEND VARIOUS SECTIONS OF CHAPTER 507, EQUAL EMPLOYMENT OPPORTUNITY IN PUBLIC CONTRACTS, CHAPTER 515, FAIR HOUSING CODE, CHAPTER 547, UNFAIR EMPLOYMENT PRACTICES & SECTION 790.16 OF CHAPTER 790, CABLE TELEVISION FRANCHISE GENERAL REGULATIONS, OF CODIFIED ORDINANCES (JUD)
- 2ND RDG 10. AMEND SECTION 1 (C) OF O#177/2006; EMERGENCY (TO ALLOW CITY COUNCIL A CHANGE DRAWER IN AMT OF \$200.00 TO BE ADMINISTERED BY CLERK FOR CITY OF CANTON MERCHANDISE PROG) (FIN & JUD)
- 2ND RDG 11. AMEND O#220/2011 BY MAKING \$150,670.00 SUPP APPROP; EMERGENCY (2328 PHEP FUND) (FIN)
- 2ND RDG 12. AMEND EXHIBIT TO O#100/2011, AS AMENDED, CLASSIFICATION PLAN & SALARIES FOR MGMT & NON-BARG UNIT EMPLOYEES OF CITY; EMERGENCY (OFFICE OF PUBLIC SAF - RESEARCH & REFERRAL SPECIALIST) (JUD & PER)
- 2ND RDG 13. AMEND EXHIBIT A TO O#40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY CITY; EMERGENCY (SAFETY DIRECTOR'S COMMUNICATION CENTER - PART TIME TELECOMMUNICATOR) (JUD & PER)
- 2ND RDG 14. APPROVE & ACCEPT REPLAT OF LOTS 14943, 14944, 19175 & 19176; EMERGENCY (1304 GREENFIELD SW - DBA JEBCO MACHINE) (PS&T)
- 2ND RDG 15. AUTHORIZE SAF DIR TO ENTER INTO SEPARATE 3 YR AGMTS W/THE VILLAGE OF CLINTON & CITY OF NEW FRANKLIN TO ALLOW ACCESS TO OUR 800 MHZ SYSTEM FOR MUTUAL AID PURPOSES; EMERGENCY (FIN)
- 2ND RDG 16. AUTHORIZING SVC DIR TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO CCIC; EMERGENCY (PARCEL NOS. 209353 & 209352 - CPPA @ 430 WALNUT AVE NE) (C&ED)
- 2ND RDG 17. AUTHORIZE SERV DIR IN CONJUNCTION W/WRF PHOSPHORUS/TOTAL NITROGEN REMOVAL & MISCELLANEOUS IMPROVEMENTS PROJ TO: FILE APP & ENTER INTO CONTRACT W/OEPA FOR A LOW-INTEREST LOAN; ENTER INTO CONTRACT W/OVIVO USA, LLC FOR PURCHASE OF MEMBRANE BIOREACTOR EQUIPMENT & ASSOCIATED COMPONENTS; ADVERTISE, REC BIDS & ENTER INTO A CONSTRUCTION CONTRACT FOR THE PROJ; FILE AN APP & ENTER INTO CONTRACT W/OEPA FOR A LOW-INTEREST LOAN TO FUND THE CONSTRUCTION PHASE OF THE PROJ; AMEND APPROP O#220/2011 BY MAKING A \$28,500,000.00 SUPP APPROP; EMERGENCY (PPCI)

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

- 145/2012 18. AMEND APPROP O#220/2011; EMERGENCY (\$47,493.54 FROM 2220 506009 HOMELESS PREVENTION & RAPID REHOUSING FUND - OTHER TO 2220 506009 HOMELESS PREVENTION & RAPID REHOUSING FUND - PERSONNEL)
- 146/2012 19. AMEND APPROP O#220/2011; EMERGENCY (\$15,286.46 FROM 2211 506009 COMM DEV RECOVERY ACT (CDBG-R) PROG FUND - OTHER TO 2211 506009 COMM DEV RECOVERY ACT (CDBG-R) PROG FUND - PERSONNEL)
- 147/2012 20. AMEND APPROP O#220/2011; EMERGENCY (\$79,000.00 FROM UNAPPROP BAL 2323 PREP FUND TO 2323 PREP FUND - PERSONNEL \$25,000.00 AND TO 2323 PREP FUND - OTHER \$54,000.00)

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

DEFEATED 21. ___ AUTHORIZE SAF DIR TO ENTER INTO PROF SVCS AGMT WITH REDFLEX TRAFFIC SYSTEMS, INC FOR IMPLEMENTATION OF AUTOMATED PHOTO TRAFFIC ENFORCEMENT)

POSTPONED INDEFINITELY

_____ 22. ___ CREATING TITLE ELEVEN, AUTOMATED TRAFFIC ENFORCEMENT, UNDER PARK THREE - TRAFFIC CODE OF CODIFIED ORDINANCES; CREATING CHAP 391, AUTOMATED TRAFFIC ENFORCEMENT SYSTEM, TO PROVIDE FOR THE IMPLEMENTATION OF A CIVIL AUTOMATED TRAFFIC ENFORCEMENT SYSTEM FOR ADMINISTRATIVE ENFORCEMENT OF TRAFFIC CONTROL SIGNALS AND SPEED LIMITS

148/2012 23. ___ AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO CONTRACT FOR REPAIR OF HEATING & COOLING SYSTEM AT SEARS BLDG; EMERGENCY

149/2012 24. ___ AUTHORIZE SERV DIR TO ENTER INTO AGMTS WITH PROP OWNERS FOR THE CONSTRUCTION OF CITYSCAPE PROJ; AUTHORIZE CITY ENGINEER TO GENERAL CONTRACT FOR PORTIONS OF CITYSCAPES; AMEND APPROP O#220/2011; EMERGENCY (\$375,000.00 FROM UNAPPROP BAL 4501 CAPITAL FUND TO 4501 202001 CAPITAL FUND - ENGINEERING ADMIN - OTHER)

AS AMENDED

150/2012 25. ___ AUTHORIZE SERV DIR TO ENTER INTO CONTRACT WITH STAPLES CONTRACT AND COMMERCIAL, INC. IN AMT NOT TO EXCEED \$25,000.00 TO PURCHASE MISC SUPPLIES PURSUANT TO O.R.C. SECTION 125.04; EMERGENCY

151/2012 26. ___ AUTHORIZE SERV DIR TO NEGOTIATE FAIR MARKET VALUE OR DONATE TO STATE OF OHIO AN EASEMENT OR DEED NECESSARY FOR ODOT TO CONTRACT A STORM SEWER & APPURTENANCES ON AND THROUGH CITY PROP; EMERGENCY

152/2012 27. ___ AMEND APPROP O#220/2011, AS AMENDED, BY MAKING SUPP APPROP HEREIN DESCRIBED; EMERGENCY (\$125,500.00 FROM UNAPPROP BAL 4501 CAP PROJ AND \$5,000.00 FROM UNAPPROP BAL 4502 MOTOR VEHICLE PURCHASE)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, SEPTEMBER 24, 2012 in Council Caucus Room at 6:30 P.M.**

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

MISCELLANEOUS BUSINESS: Member West asks since 90 days have past since Phil Sedlacko's contract has been up, what would need done to reinstate an Animal Control officer in the city. He is once again receiving many calls regarding nuisance animals and there is no one to contact. Law Director Martuccio says that Council would need to inform the Safety Director that they would like to have another Animal Control officer and the contracts could be looked into. Member West tells all that a 77 year old woman was chased by a pit bull and had a heart attack and we really need a good contact person. Member Smith thanked all Members of Council for the participation in the 4th Ward picnic on September 2nd. There was a great turnout. She also wanted to invite everyone to celebrate Peace Day with the schools in Ward 4. She has a schedule of the events throughout the day. Member Morris was very happy to participate in his first Feed the Needy Picnic on Saturday. He was amazed at just how everything came together under the leadership of Member Dougherty with the assistance of Clerk Timberlake. He would like to see some of the teens that need to serve Community Service hours be involved in this in the future. Member Cirelli thanked Member Dougherty and others for another successful Feed the Needy. She is always happy to help in serving the citizens of the city. Member Dougherty appreciates all of the other comments and thanked the Council Members, the Mayor, the city departments, WalMart and many others for their ongoing support. This was the 20th Feed the Needy picnic and it could not go on without everyone's help. The people from Family Time Entertainment have donated their time for the last 13 years and the people enjoy them as well as the meal. They will be retiring and will be hard to replace. There were 500 hamburgers and 400 hot dogs provided on Saturday as well as 92 food bags. Service Director Price addressed the issue with the water meters and the MTU units that send the data to the MDU receivers are not communicating properly. These units are sealed so the batteries can't be replaced. There are about 35 to 40,000 of these and since they were all purchased at the same time, they are all failing now. There will be a form included with the water bill that will allow residents to read their own meter and call it in to the Water Department until these can be corrected or replaced. Member West asked if Mr. Jamison's questions could be answered. Service Director Price is not real sure which dollars Mr. Jamison was discussing but they could be foreclosure money, demolition money or possibly casino dollars. Member Dougherty also stated that thank you letters would be going out to all of the area businesses that helped with the donations that made Feed the Needy a success again this year. Service Director Price said when deciding next years entertainment, Member Dougherty might want to consider the 4 hot young Councilmen and he was surprised to see Member Dougherty, Member Cirelli and Member West line dancing with his wife. Member Morris stated he was not young anymore.

ADJOURNMENT: 8:55 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, SEPTEMBER 24, 2012 @ 7:30 PM