

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

CANTON CITY COUNCIL

DECEMBER 10, 2012

ROLL CALL: All Council Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: James Babcock, Council-at-Large

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#7 - O#14; O#16 Adopted as Amended; O#19 Postponed until 12/17/12)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Vicki Boatright lives across the street from VXI and while having 1,000 employees is something to celebrate, having them outside your home is not. They loiter on the sidewalk smoking and speaking in vulgar language in a crowd everyday. She has spoke to the HR Department at VXI, Derek Gordon in city administration and Council Member Thomas West regarding this problem. She does not want the company to leave but wants the city to manage this situation. These employees are destroying downtown and the arts district Canton has worked so hard for so she would like immediate attention. Dick Drake discussed the vacant properties where grass won't grow after demolitions and suggests that using mulch to cover the properties would turn into compost and create beautiful grass later. There are over \$4,000.00 worth of trees planted around the City Hall building and because of the incorrect planting with the burlap balls at the base these trees will have only half of the original life expectancy and most nurseries with only guarantee a tree for one year. The city needs to have all of these planted correctly in the first place. Tim Porter from the Summit United Neighbors are all on board with the cameras. He would like them in his neighborhood and feels that they would help the city both financially and in safety. Rod Pansini, President of the Summit United Neighbors feels that a few intersections in the city would be much safer with cameras and this will help to generate some money that the city could use for the correct resources. He thanked a few of the Council Members for always being available and willing to help. He thinks it is time for everyone to work together and in every situation think of 1) our homes; 2) our children; and 3) our future. Jason Scaglione asks about a fee change from the 12/3/12 agenda regarding in home day care centers. These providers do not make a lot of money but most are certified and this additional fee amount could make a large change for them. Jaga Radosevic would like to thank all the Council Members for doing a good job and wished all a Merry Christmas and Happy New Year. Kent Bedford has heard that cameras cost millions of dollars and that the Australian company gets \$60.00 per picture. The company decides where to install them and puts them where they will make the most money not where the crimes take place. Tina Schumacher is for the traffic cameras. She feels that since the city has laid off police and fire staff to save money that everyone in Council should vote for the cameras to help with safety. Jill Oates is the property manager at Canton Towers and she has observed bad accidents in downtown Canton. Over 70% of her residents have wheelchairs, walkers, canes, etc. and many can't make it across the street during the time that it takes for the light to change from red to green. There are many speeders on the downtown streets after dark and so she is in favor of traffic cameras for safety reasons. Robert Rainieri works in Canton but lives in North Canton. He is nervous about the traffic cameras because he prides himself on 16 years of driving and no tickets until last year when he got a ticket for "rolling red" from the cameras. He has spoke to a couple of officers who said they may not have ticketed him for this offense. He also stated that they city should be aware in Dayton, Ohio there are \$4,000,000.00 in uncollected tickets from traffic cameras. Marcia Zawacky is the Harrison Hills President. This city has problems that are not unusual and several cities in Ohio are going through similar situations. She asks why does anyone in government think that driving people away will help the city. We need to have things that are pleasant and make people want to come here so they really need to start looking at things in a different way. Martin Zawacky was asked by the Neighborhood Leadership Council to come give statistics regarding their concerns with the city and these include crime in neighborhoods and vacant homes. The group would like the city to bring back the Gang Task Force. John Anderson is the owner of Anderson Flowers and he feels the violence in the city is getting too extreme. He feels if the cameras will help, so be it because people definitely won't come to a town where there are murders. Mike Myers is the owner of Your Pizza Shop at 12th and Cleveland Avenue NW. They were robbed by two people in masks with guns. He served 20 years in the Army and now feels that he runs a business in a war zone. He has not had a detective come out to talk with him or his employees about this incident but he knows that if he would have shot at the robbers the police would be at his door. There are videos on YouTube of these thugs in masks and shooting guns that show this same type of robbery and something needs done about it so if cameras are the solution, they need installed.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

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| 436. | AUDITOR MALLONN: | REQ FOR ADDTL AMENDED CERT DATED 11/29/12. - RECEIVED & FILED |
| 437. | AUDITOR MALLONN: | MONTHLY RPT BY FUND 11/1/12 - 11/30/12. - RECEIVED & FILED |
| 438. | AUDITOR MALLONN: | YEARLY RPT BY FUND 1/1/12 - 11/30/12. - RECEIVED & FILED |
| 439. | CNCL MBR WEST: | REQ CREATION OF LEGISLATION FOR AUDITOR TO ESTABLISH A DESIGNATED SAFETY FUND FOR MONEY DERIVED BY AUTOMATED TRAFFIC ENFORCEMENT CAMERAS, WHEREAS, 80% WILL GO TO SAFETY FORCES & 20% TO NEIGHBORHOOD SAFETY GRANTS. - JUDICIARY COMMITTEE |
| 440. | DEPT OF COMMERCE: | NOTIFICATION OF EXPIRATION OF ALL LIQ PERMITS 2/1/13; MUST RCV OBJECTIONS BY 1/2/13. - RECEIVED & FILED |
| 441. | DEPT OF COMMERCE: | NOTIFICATION THAT COUNCIL HAS WITHDRAWN THE OBJECTION FOR DG HOLDING & MGMT CO., INC. DBA THE SPOT @ 2600 8 TH ST NE & PATIO. - RECEIVED & FILED |
| 442. | DOMINION EAST OHIO: | NOTIFICATION OF FILING NEW PIR ADJUSTMENT CASE FOR PIPELINE INFRASTRUCTURE REPLACEMENT. - RECEIVED & FILED |

COMMUNICATIONS CONTINUED:

443. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D1 LIQ PERMIT FOR CHARLES P GATTUSO DBA JAM TIME MUSICIANS CLUB @ 1300 MARKET AVE N. - RECEIVED & FILED
444. SAFETY DIRECTOR REAM: REQ TO AMEND FEE SCHEDULE IN SEC 1509.05 OF CODIFIED ORDINANCES (ABOVE & UNDERGROUND STORAGE TANKS). - JUDICIARY COMMITTEE
445. SAFETY DIRECTOR REAM: REQ TO AMEND FEE SCHEDULE IN SEC 1511 OF CODIFIED ORDINANCES (SPECIAL EFFECTS EXHIBITIONS). - JUDICIARY COMMITTEE
446. SAFETY DIRECTOR REAM: REQ TO AMEND FEE SCHEDULE IN SEC 705 OF CODIFIED ORDINANCES (ALARM SYSTEM BUSINESS). - JUDICIARY COMMITTEE
447. SAFETY DIRECTOR REAM: REQ TO AMEND FEE SCHEDULE IN SEC 723.15 OF CODIFIED ORDINANCES (SPECIAL AMUSEMENT ARCADE LICENSE). - JUDICIARY COMMITTEE
448. SAFETY DIRECTOR REAM: REQ TO AMEND FEE SCHEDULE IN SEC 723.05 OF CODIFIED ORDINANCES (MACHINES IN AMUSEMENT ARCADES). - JUDICIARY COMMITTEE
449. SAFETY DIRECTOR REAM: REQ TO AMEND FEE SCHEDULE IN SEC 723.05 OF CODIFIED ORDINANCES (MUSICAL DEVICES). - JUDICIARY COMMITTEE
450. SAFETY DIRECTOR REAM: REQ TO AMEND FEE SCHEDULE IN SEC 749 OF CODIFIED ORDINANCES (ITINERANT RETAILERS). - JUDICIARY COMMITTEE
451. SAFETY DIRECTOR REAM: REQ TO AMEND FEE SCHEDULE IN SEC 785.04 OF CODIFIED ORDINANCES (MASSAGE ESTABLISHMENT). - JUDICIARY COMMITTEE
452. SAFETY DIRECTOR REAM: REQ TO AMEND FEE SCHEDULE IN 375.04 OF CODIFIED ORDINANCES (BICYCLE). - JUDICIARY COMMITTEE
453. SAFETY DIRECTOR REAM: REQ TO AMEND FEE SCHEDULE IN 724 OF CODIFIED ORDINANCES (CARNIVALS). - JUDICIARY COMMITTEE
454. SAFETY DIRECTOR REAM: REQ TO AMEND FEE SCHEDULE IN 783.02 OF CODIFIED ORDINANCES (HORSE-DRAWN CARRIAGE). - JUDICIARY COMMITTEE
455. SAFETY DIRECTOR REAM: REQ TO AMEND FEE SCHEDULE IN 785.05 OF CODIFIED ORDINANCES (MASSAGE TECHNICIAN & FINGERPRINTING). - JUDICIARY COMMITTEE
456. SAFETY DIRECTOR REAM: REQ TO AMEND FEE SCHEDULE IN 781.02 OF CODIFIED ORDINANCES (NURSING HOME EMPLOYEES). - JUDICIARY COMMITTEE
457. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR AND/OR SERV DIR TO NEGOTIATE & ENTER INTO LONG-TERM AGMT W/MARATHON PETROLEUM THAT DEFINES & DOCUMENTS PARTNERSHIP; AUTHORIZE AUDITOR TO ESTABLISH & CREATE 5301 STORM WATER OPERATING FUND AND 5303 MARATHON/NAVARRE RD STORM SEWER FUND TO TRACK REVENUES AND EXPENDITURES; AUTHORIZE CITY TO RCV AND DEPOSIT FUND FEES FROM MPC PER PENDING AGMT. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
458. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX ACCT FOR NOVEMBER 2012. - RECEIVED & FILED
459. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR NOVEMBER 2012. - RECEIVED & FILED
460. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 11/30/12. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE AUDITOR TO ENTER INTO A ONE-YEAR CONTRACT W/ACS GOVERNMENT SYSTEMS INC., IN AMT NOT TO EXCEED \$25,000.00 FOR REMOTE DATABASE ADMIN SVCS; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 2. AUTHORIZE AUDITOR TO ENTER INTO A THREE-YEAR EXTENSION THROUGH JUNE 27, 2016 W/IMMIX TECHNOLOGY INC., IN AMT NOT TO EXCEED 4% OF THE CURRENT RATE, FOR CONTINUED USE OF THE KRONOS TIME & ATTENDANCE SOFTWARE; EMERGENCY
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZE AUDITOR TO ENTER INTO THREE-YEAR EXTENSION THROUGH SEPTEMBER 30, 2016 W/ACS GOVERNMENT SYSTEMS INC., IN AMT NOT TO EXCEED \$65,000.00 PER YEAR, FOR CONTINUED USE OF BANNER SOFTWARE; EMERGENCY
Referred to Finance Committee
- 1ST RDG 4. ADOPT APPROP FOR THE OPERATING & CAPITAL EXPENDITURES OF THE CITY OF CANTON, FOR FISCAL YEAR 2013; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. AMEND SECTION 761.01, COMMERCIAL HAULER'S LICENSE; SECTION 763.04, TAXICAB COMPANY'S LICENSE, REQUIREMENTS & LICENSE FEE; SECTION 763.07, LICENSING EXPIRATION; RENEWAL; & CHAPTER 1507, DEMOLITION OF BLDGS (REPEALED), OF CODIFIED ORDINANCES OF CITY OF CANTON
Referred to Judiciary Committee
- 1ST RDG 6. AUTHORIZE SERV & SAF DIRECTORS TO ADVERTISE, RCV BIDS & ENTER INTO CONTRACT FOR SUPPLY ITEMS, MATERIALS & PROF SVCS FOR CITY OF CANTON'S OPERATIONS DURING THE 2013 CALENDAR YR; AUTHORIZE ALTERNATIVELY THE PURCHASE OF SAID ITEMS PURSUANT TO THE STATE COOP PURCHASING AGMT AND/OR ODOT PURCHASING AGMT; EMERGENCY
Referred to Finance Committee

ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#7 - O#14)**

- 2ND RDG 7. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CDBG ECONOMIC DEV GRANT W/1/2 R POWER CO.; EMERGENCY (C&ED)
- 2ND RDG 8. AUTHORIZE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGMT W/1/2 R POWER CO. TO PROVIDE A REAL PROPERTY TAX EXEMPTION; AUTHORIZE AUDITOR TO MAKE PAYMENTS TO CANTON LOCAL BOARD OF ED AS REQUIRED TO BE PAID PURSUANT TO SEC 5709.82 (C) OF THE REVISED CODE; EMERGENCY (C&ED)
- 2ND RDG 9. 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 #02-24286 - 4TH ST NE - JACQUELINE & CARLSTON HEDGESPEETH) (C&ED)
- 2ND RDG 10. 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 #02-13025 - PART OF LOTS NOS. 1869 & 1870 - DEAN & JENNIFER KING) (C&ED)
- 2ND RDG 11. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CHANGE ORDER #1 W/GOODWILL IND IN AMT NOT TO EXCEED \$25,000.00 FOR THE BROWNFIELD JOB TRAINING GRANT; AMEND APPROP O#220/2011; EMERGENCY (\$25,000.00 TO 2235 506009 BROWNFIELD JOB TRAINING GRANT - OTHER) (C&ED)
- 2ND RDG 12. AMEND APPROP O#220/2011, AS AMENDED, BY MAKING VARIOUS SUPP APPROPS, APPROP TRANSFERS & INTERFUND TRANSFERS; EMERGENCY (TO PRESERVE INTEGRITY OF COMPENSATED ABSENCES FUND) (FIN)
- 2ND RDG 13. AMEND APPROP O#220/2011, AS AMENDED, BY MAKING VARIOUS SUPP APPROPS & INTERFUND TRANSFERS; EMERGENCY (HEALTH & LIFE INSURANCE FUND) (FIN)
- 2ND RDG 14. AUTHORIZE SERV DIR TO ACCEPT DONATION IN AMT OF \$50,000.00 FROM SARTA TO PROVIDE FUNDING FOR A PLAYGROUND AREA & WALKING PATH; AUTHORIZE AUDITOR TO ESTABLISH 2450 SARTA AREA IMPROVEMENT FUND; EMERGENCY (FIN)

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

- 202/2012 15. AUTHORIZE MAYOR AND/OR SERV DIR TO AMEND EXISTING PLAIN TOWNSHIP - CITY OF CANTON COOP ECONOMIC DEV AGMT (CENTRAL ALLIED); EMERGENCY

AS AMENDED

- 203/2012 16. AMEND APPROP O#220/2011, AS AMENDED, BY MAKING SUPP APPROP & APPROP TRANSFERS HEREIN DESCRIBED; EMERGENCY (VARIOUS FUNDS INCLUDING SERV DIR, AUDITOR, CIVIL SERV, LAW, JUDGES, FIRE, MOTOR VEHICLES, MAINTENANCE)
- 204/2012 17. AUTHORIZE SAF DIR TO ENTER INTO AGMT WITH STARK COUNTY EMERGENCY MGMT AGENCY TO RCV REIMBURSABLE GRANT IN AMT UP TO \$92,250.00 FOR PURPOSES OF INTEROPERABLE EMERGENCY COMMUNICATIONS GRANT PROG (IECGP) & PURCHASE UP TO \$123,000.00 WORTH OF EQUIP FROM MOTOROLA PURSUANT TO O.R.C. SECTION 125.04; AMEND APPROP O#220/2011 FOR \$90,000.00 FROM UNAPPROP BAL 4502 DMV TO 4502 103501 CENTRAL COMM ADMIN - OTHER; EMERGENCY

205/2012 18. AUTHORIZE MAYOR AND/OR SERV DIR TO APPLY FOR, ENTER INTO CONTRACT FOR & RCV FUNDS FROM MUSKINGUM WATERSHED CONSERVANCY DISTRICT THROUGH ITS LOCAL GRANT PROG; EMERGENCY

POSTPONED UNTIL

12/17/12 19. AUTHORIZE SERV DIR TO ENTER INTO LONG-TERM AGMT WITH AMERICAN LANDFILL, INC. FOR LEACHATE & SLUDGE DISPOSAL; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, DECEMBER 17, 2012 in Council Caucus Room at 6:15 P.M.

- 1) Finance Committee
- 2) Judiciary Committee

MISCELLANEOUS BUSINESS: Member Smith asked Community Development Director Williams about an article in the newspaper about the new Members and their new ideas. Is there already some type of down payment assistance program available to constituents? Can the CDBG monies be used toward the hiring of Police Officers? The paper also talked about the demolition dollars and how they will be matched. Director Williams says that the city does already have a program to assist home buyers with a down payment or closing costs. There is also a program through HOME funds grants that can help owners with emergency repairs to their homes. Member Smith was just wanting to clarify that CDBG funds could not be used for officers. She stated that the seasoned Members of Council are still doing their homework for their Wards. Director Williams stated that to use CDBG funds for police officers has to be very specific and in a specific area with a substation which gets very costly and hard to track. Since the CDBG funds for the city are under such close scrutiny, this would need discussed by all and laid out very careful before it would ever be approved. Director Williams and Safety Director Ream have had several meetings in the past month and he is just waiting for the budget to be completed and waiting on the feds to determine just what can be done with these CDBG funds. They are still waiting on the approval of the 2013 HUD budget as well. Member Smith reminded all that she will be using every penny she is given for demolitions in her Ward. Member Mariol asks if there are certain areas of the city where these funds can't be used. Director Williams says that HOME funds are citywide. CDBG funds have specific areas but programs can be written to work in any area of the city. Member West thanked the seniors for coming down to discuss the need for cameras in their community. He took a few seniors and the staff from the Engineering Department across some streets this summer to show how many could make it across during the cycle of the lights from red to green. This helped the Engineering Department to synchronize the lights going through downtown because of some of the senior high rise living areas. Safety Director Ream corrected an article which appeared in the Repository over the weekend. He has already met with the City Editor about a couple of errors and the article says that 40 beds at the jail were closed and it was 40% of the beds or 200. This is what negatively impacted the crime in the city. Member Hawk mentions an IBM commercial on TV about intelligence led policing. This shows that nothing can compare with an actual officer on the street. He also feels that the bonds are a good investment in ourselves right now. President Schulman echos the words of Vicki Boatright in the matter of the VXI employees. While the jobs are very important to the city and he thanks the Mayor for bringing them in, the employees are disruptive to the other businesses downtown and the management of VXI needs to respond and make these employees respectful of their surroundings. Member Cirelli asks if businesses still use silent alarms to get police response when they think there is danger. Member West states that Your Pizza Shop had an alarm set up to their security company. Director Ream will be talking with the police officers to see just what the situation is regarding the pizza shop. Member Griffin announced the Ex-Newsboys will be out in the community on Friday, December 14th selling their newspapers for the annual drive. The Ex-Newsboys have given away over \$4,000,000.00 in clothes to kids in Stark County. Member Cirelli did attend the meeting held by the four new Members of Council and any Members of Council could hold this same type of meeting to hear what their constituents have to say.

ADJOURNMENT: 8:55 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, DECEMBER 17, 2012 @ 7:30 PM