

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

FEBRUARY 25, 2013

ROLL CALL: Eleven Council Members

MOTION TO EXCUSE MEMBERS: Council Member Smith

INVOCATION: John Mariol, Ward 7 Council Member

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1ST Rdg O#5A - O#5B and 2ND Rdg O#8; 2ND Rdg O#6 & O#7 Retained in Committee; 1ST Rdg O#5A & O#5B Adopted)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): James Parker re: Discussed the naming rights of Canton Civic Center and complained about the flags at Central Plaza; Dick Drake re: Expressed that the silent residents (trees) need protection. Also advised that Arbor Day is coming up in April; David Morgan re: Stated that since the Tree Commission Ordinance was adopted no appointments have been made; Erina Martin re: Discussed problems at 16th NE & Struble where there is a make shift memorial; Terrel Lee re: Also discussed problems at 16th St NE & Struble and all other make shift memorials

INFORMAL RESOLUTIONS:

14. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF RON BERGER TO CANTON CONSTRUCTION BD FROM 1/1/13 TO 12/31/15. - ADOPTED
15. RULES COMMITTEE: AMEND COUNCIL RULES. - DEFEATED

COMMUNICATIONS:

81. APPLICANT DARLENE GUYNUP: APPLICATION TO VACATE PORTION OF FAIRMONT ST NE, GRIDLEY AVE NE, REGENT AVE NE, MAXINE AVE NE, MARTHA AVE NE. - PLANNING COMMISSION
82. CLERK TIMBERLAKE: WITHDRAWING OBJECTION TO RENEWAL OF LIQ PERMIT FOR JOHN L JONES DBA JOHN LS @ 704 4TH ST SW. - JUDICIARY COMMITTEE
83. DEPT OF COMMERCE: ADVISING THAT HRG SCHEDULED FOR 2/19/13 RE: DG HOLDING & MANAGEMENT CO INC DBA THE SPOT HAS BEEN CONTINUED. - RECEIVED & FILED
84. DOMINION EAST OHIO GAS: ADVISING OF PUCO'S APPROVAL FOR DOMINION TO USE AN AUTOMATED ADJUSTMENT MECHANISM KNOWN AS THE AMR COST RECOVERY CHARGE TO ALLOW DOMINION TO RECOVER CERTAIN COSTS ASSOC W/DEPLOYING AMR TECHNOLOGY THROUGHOUT ITS SERVICE TERRITORY. - RECEIVED & FILED
85. FINANCE DIRECTOR DIRUZZA: REQ TO AMEND APPROP O#209/2012 W/VARIOUS SUPP APPROPS (FIRE & POLICE ADMINISTRATIONS). - FINANCE COMMITTEE
86. HEALTH COMMISSIONER ADAMS: REQ TO AMEND O#209/2012 TO MAKE \$30,000.00 SUPP APPROP FROM UNAPPROP BAL OF 2317 - LOCAL HEALTH ASSESSMENT & ACCRED. FUND TO 2317 301001 OTHER. - FINANCE COMMITTEE
87. HEALTH COMMISSIONER ADAMS: REQ TO AMEND O#209/2012 TO MAKE VARIOUS APPROPS. - FINANCE COMMITTEE
88. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C1 C2 LIQ PERMIT FOR BADRIYA INC DBA FULTON DRIVE THRU @ 1133 FULTON DR NW. - RECEIVED & FILED
89. MAYOR HEALY: REQ AUTHORIZATION OF RE-APPT OF MICHAEL ABBOTT TO CANTON CONSTRUCTION BOARD FROM 1/1/13 TO 12/31/15. - PERSONNEL COMMITTEE
90. SAFETY DIRECTOR REAM: REQ PERMISSION TO APPROVE THE SHOTSPOTTER FLEX CONTRACT SO IT CAN BE INSTALLED & UTILIZED BY SUMMER OF 2013. - FINANCE COMMITTEE
91. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION FOR MAYOR &/OR SERV DIR TO MAKE APPLICATION, ENTER INTO CONTRACT FOR & REC FUNDS FOR VARIOUS GRANT PROGS (NATURE WORKS, LAND & WATER CONSERVATION FUND, CLEAN OHIO TRAILS FUND & RECREATIONAL TRAILS PROG); REQ AUTHORIZATION FOR MAYOR &/OR SERV DIR TO ENTER INTO COOP AGMTS W/PROJ PARTNERS FOR SAID GRANTS. - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

92. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR ONE 2013 OR NEWER HEAVY DUTY CREW TRUCK CAB & CHASSIS & ONE VALVE OPERATING MAINTENANCE TRAILER SYSTEM FOR WATER DEPT; REQ AUTHORIZATION TO PURCHASE ONE BOBCAT S650 SKID-STEER LOADER W/ACCESSORIES, ONE JEEP PATRIOT SUV, ONE CHEVROLET SILVERADO 2500 PICKUP TRUCK & ONE CASE 590SN BACKHOE FOR WATER DEPT FROM STATE COOP PURCHASING PROG. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
93. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION FOR MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/ODOT FOR CONSTRUCTION OF RESURFACING PORTION OF HARRISON AVE OVER US30 INCLUDING BRIDGE APPROACHES; MAKE \$139,790.00 SUPP APPROP FROM 4501 (CAPITAL FUND) UNAPPROP BAL TO 4501-202001 (ENGINEERING ADMINISTRATION - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
94. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION FOR MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR LIGHTING REPAIRS AT THURMAN MUNSON MEMORIAL STADIUM. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
95. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION FOR PURCHASE OF 3 VEHICLES FOR ENGINEERING DEPT; AUTHORIZE MAYOR, SERV DIR &/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCHASE OF SAID VEHICLES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
96. SERVICE DIRECTOR PRICE: REQ TO RATIFY ENCLOSED TENTATIVE AGMTS REACHED BETWEEN CITY & AFSCME LOCAL 2937 & AFSCME 3449. - FINANCE & PERSONNEL COMMITTEE
97. SERVICE DIRECTOR PRICE: REQ PRELIMINARY PARTICIPATION LEGISLATION W/ODOT THAT WILL ALLOW THE ROAD WIDENING PROJ ON MARKET AVE TO MOVE FORWARD. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
98. SERVICE DIRECTOR PRICE: REQ CONSENT LEGISLATION THAT WILL ALLOW ODOT TO PERFORM MOWING WORK ON I-77 WITHIN CITY LIMITS. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
99. SERVICE DIRECTOR PRICE: REQ CONSENT LEGISLATION THAT WILL ALLOW ODOT TO PERFORM PAVEMENT MARKING WORK ON I-77 & US-30 WITHIN CITY LIMITS. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
100. THE ABCD INC: ADVISING THAT ABCD INC WILL BE THE GENERAL PARTNER OF A RESIDENTIAL RENTAL DEVELOPMENT LOCATED IN OR WITHIN A 1-HALF MILE RADIUS OF YOUR POLITICAL JURISDICTION & PLANS TO UTILIZE THE MULTIFAMILY FUNDING PROGRAMS OF THE OHIO HOUSING FINANCE AGENCY FOR DEV OF THIS PROPERTY. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND APPROP O#209/2012 BY MAKING \$24,154.83 SUPP APPROP FROM UNAPPROP BAL OF 2235 BROWNFIELD JOB TRAINING GRANT FUND TO 2235 506009 BROWNFIELD JOB TRAINING GRANT - OTHER; EMERGENCY
Referred to Finance Committee
- 1ST RDG 2. CONSIDER & APPROVE PETITION FOR RENEWAL OF OPERATING ASSESSMENT OF DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; EMERGENCY
Referred to Judiciary Committee
- 1ST RDG 3. AUTHORIZE CHIEF STEPHEN RICH & CANTON FIRE DEPT TO DONATE USED FIRE EQUIPMENT TO A HONDURAS FIRE DEPT
Referred to Finance Committee
- 1ST RDG 4. AUTHORIZE CITY AUDITOR TO PAY \$333.68 TO LIFE GAS; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 5. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID & DELINQUENT CHARGES FOR REMOVAL OF NOXIOUS WEEDS & DEBRIS; EMERGENCY
Referred to Finance Committee

(COUNCIL RECESSED AT 7:50 P.M. FOR THE FINANCE AND PERSONNEL COMMITTEES TO DISCUSS ORDINANCE #5A; RECONVENED AT 7:51 P.M.)

- 23/2013 5A. APPROVE CONTRACT AMENDMENTS TO COLLECTIVE BARGAINING AGMT BETWEEN CITY & LOCAL 2937 & OHIO COUNCIL 8; EMERGENCY
Referred to Finance and Personnel Committees

(COUNCIL RECESSED AT 7:51 P.M. FOR THE FINANCE AND PERSONNEL COMMITTEES TO DISCUSS ORDINANCE #5B; RECONVENED AT 7:55 P.M.)

- 24/2013 5B. APPROVE CONTRACT AMENDMENTS TO COLLECTIVE BARGAINING AGMT BETWEEN CITY & LOCAL 3449 & OHIO COUNCIL 8; EMERGENCY
Referred to Finance and Personnel Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#8; O#6 & O#7 RETAINED IN CMTE)

RETAINED IN

- CMTE 6. AUTHORIZE SAF DIR TO ENTER INTO PROF SVCS AGMT W/REDFLEX TRAFFIC SYSTEMS INC FOR IMPLEMENTATION OF AN AUTOMATED PHOTO TRAFFIC ENFORCEMENT PILOT PROGRAM IN LIMITED AREAS OF CITY (JUD)

RETAINED IN

- CMTE 7. AUTHORIZE AUDITOR TO ESTABLISH TWO FUNDS FOR THE RECEIPT AND DISBURSEMENT OF REVENUES COLLECTED IN CONJUNCTION WITH AUTOMATED TRAFFIC ENFORCEMENT PROG(JUD)

- 2ND RDG 8. AMEND APPROP O#209/2012; EMERGENCY (\$30,000.00 2760 102001 POLICE ADMIN - PERSONNEL) (FIN)

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

- 25/2013 9. AUTHORIZE CITY AUDITOR TO PAY \$1,762.00 TO BLACK, MCCUSKEY, SOUERS & ARBAUGH; EMERGENCY

- 26/2013 10. AUTHORIZE CITY AUDITOR TO PAY \$2,700.00 TO US EVALUATIONS INC; EMERGENCY

- 27/2013 11. AUTHORIZE CITY AUDITOR TO PAY \$167.00 TO PREMIER COURT REPORTING; EMERGENCY

- 28/2013 12. APPROVE & ACCEPT REPLAT OF LOTS 5213 - 5221, 30051, PART OF LOT 30052 & PARTS OF OUT LOTS 351 & 72; EMERGENCY (1138 CAMDEN AVE SW - SIMON WARSTLER)

- 29/2013 13. AUTHORIZE MAYOR &/OR SERV DIR OF PUBLIC SVC TO ENTER INTO CONTRACT W/THE YMCA IN AMT NOT TO EXCEED \$50,000.00 FOR THE OVERALL MGMT & SUPERVISION OF THE FACILITY & PROGRAMMING @ THE EDWARD "PEEL" COLEMAN COMMUNITY CENTER; EMERGENCY

- 30/2013 14. AMEND APPROP O#209/2012 AS AMENDED BY MAKING VARIOUS APPROP REDUCTIONS; EMERGENCY (NSP, NSP3, HOME & BYRNE)

- 31/2013 15. AUTHORIZE MAYOR TO ENTER INTO PROF SVCS CONTRACT W/BLACK, MCCUSKEY, SOUERS & ARBAUGH IN AMT NOT TO EXCEED \$45,000.00 TO PROVIDE SPECIALIZED LEGAL ASSISTANCE W/WORKERS' COMP CASES; AMEND APPROP O#209/2012 BY MAKING \$45,000.00 SUPP APPROP FROM 6010 WORKERS' COMP RETRO FUND TO 6010 501101 HUMAN RESOURCES - OTHER; EMERGENCY

- 32/2013 16. AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO CONSTRUCTION CONTRACT FOR CONSTRUCTION OF MILL STREET SE SANITARY SEWER REPLACEMENT GP 1188 & TO ENTER INTO COOP AGMT W/THE BD OF STARK CNTY COMMISSIONERS IF NEEDED TO REIMBURSE CANTON FOR A PORTION OF THE WORK; AMEND APPROP O#209/2012 BY MAKING \$350,000.00 SUPP APPROP FROM 5410 SANITARY SEWER FUND TO 5410 206311 SANITARY FUND - MILL ST SE SEWER REPLACEMENT GP 1188 - OTHER; EMERGENCY

- 33/2013 17. AUTHORIZE CITY AUDITOR TO PAY \$1,585.44 TO BEAVER EXCAVATING INC; EMERGENCY

- 34/2013 18. AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO CONSTRUCTION CONTRACT FOR CONSTRUCTION OF THE ALLENFORD DRIVE SANITARY SEWER REPAIR GP 1114 (SEWER BYPASS); ENTER INTO COOP AGMT W/THE BD OF STARK CNTY COMMISSIONERS & CITY OF NORTH CANTON TO REIMBURSE CANTON FOR A PORTION OF THE WORK; AMEND APPROP O#209/2012 BY MAKING \$220,000.00 SUPP APPROP FROM 5410 SANITARY SEWER FUND TO 5410 206310 SANITARY FUND - ALLENFORD DR SANITARY SEWER REPAIR GP 1114 - OTHER; EMERGENCY

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

- 35/2013** 19. AUTHORIZE SAF DIR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT(S) TO COMPLETE DEMOLITIONS; EMERGENCY (IN CONJUNCTION WITH THE STARK CNTY LAND REUTILIZATION CORP'S RESIDENTIAL HOUSING DEMO GRANT REIMBURSEMENT PROG)
- 36/2013** 20. AMEND SECTION 181.14, ALLOCATION OF FUNDS, OF CODIFIED ORDINANCES; EMERGENCY (IN CONJUNCTION WITH THE STARK CNTY LAND REUTILIZATION CORP'S RESIDENTIAL HOUSING DEMO GRANT REIMBURSEMENT PROG)
- 37/2013** 21. PROVIDE FOR THE ISSUANCE & SALE OF BOND ANTICIPATION NOTES IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$2,000,000.00 FOR PURPOSE OF PAYING COSTS OF REVITALIZATION WITHIN THE CITY & ADDRESSING PROPERTY CONDITIONS THAT ARE DELETERIOUS TO THE PUBLIC HEALTH & SAFETY THROUGH THE DEMOLITION OF DETERIORATING STRUCTURES & THE IMPROVEMENT OF THOSE SITES, THEREBY ENABLING THE USE OR REUSE OF LANDS WITHIN THE CITY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, MARCH 4, 2013 in Council Caucus Room at 6:00 P.M.**

- 1) Finance Committee
- 2) Judiciary Committee
- 3) Personnel Committee

MISCELLANEOUS BUSINESS: Service Director Price re: Advised that the Water Reclamation Facility & Collection System Departments have completed the 2012 Sanitary/Sewer Rate Study update for the sewer enterprise fund and the rate will not change from the 4 year plan; Member Griffin re: Asked everyone to read the article in the Canton Connection regarding the Parks and asked that they all take the survey; Member Cirelli re: Asked the Mayor how soon the Tree Commission will be selected; Mayor Healy re: Advised that it may be done this week; Member Cirelli re: Asked Safety Director Ream to look into the issues at 16th St NE and Struble and get back to Council with their plan of action; Member West re: Asked for a moment of silence for the passing of former Council Member Wilma Lipkins. Advised James Parker that he thinks there are a lot of Council Members that agree with his ideas. Also discussed problems at 16th St NE and Struble and the roadside memorials; Member Fisher re: Discussed the recent homicide at the Friendly Corner and asked the Safety Director to meet with him regarding the same; President Schulman re: Advised that Senator Oelslager is the only legislator that responded to the letter sent out inviting them to the March 4th Council Meeting. Stated that he would like to get the Water Commission up and running within the next week; Member Cirelli re: Asked President Schulman if the Council Members should all sign something asking the legislators to come to the meeting; Mayor Healy re: Suggested that if the legislators state that they are unavailable, they should be asked when they would be available; President Schulman re: Discussed Jim Hillibish's newspaper article; Member Hawk re: Stated that he feels as though Council invited the legislators and they have ignored the invitation.

ADJOURNMENT: 8:34 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 4, 2013 @ 7:30 PM