

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

MARCH 4, 2013

ROLL CALL: All Council Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Edmond Mack, Ward 8 Council Member

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2ND Rdg O#14 - O#20; O#14 and O#15 Withdrawn)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Monique Davis had previously asked Council to create some programs for youth in the city and now the death toll has increased and still no new programs exist. The youth on the corners that are being run out of town are the shining stars that can save this city because they have a lot of talent. She feels something must be done because her family was safer in a bigger city. Linda Cottrell is a licensed demolition contractor for the city for the last 30 years. She would like to see the bids for the large upcoming demolition project be placed in sealed envelop to insure the integrity of the process. She also feels that the Building Department should award the abatement bids to license contractors because right now the demo contractors subcontract the abatement work out to companies they hire that may or may not have the proper license and may not get the properties completely clean of asbestos. If the Building Department awarded the abatement bids, the liability for both the city and the demo contractors would be removed. She also stated that the demo contractors cannot include the removal of the trees in the power lines because they are not equipped to cut these so that is another thing the city needs to look at in the demolition process. Dick Drake says that trees are natures air conditioners. A person uses about 278 pounds of air per year for breathing and 1 acre of trees covers enough air for 18 people annually. Since the average tree takes about 15 years of growth to give back to the air and water supply we must get this Tree Ordinance in place for our survival. Bruce Nordman walks with Bruce Brewer to canvas the neighborhoods and while the Police Department does an excellent job with the staff they have, more bed space needs to be opened at the jail. Sheriff Swanson and Commissioner Bernabei said that more beds would be opened when the tax passed. It must be frustrating for officers not to be able to put away the individuals that they arrest. He feels that Canton City Council and administration should get together with Massillon and Alliance and put pressure on the county to get these beds opened up. Pete DiGiacomo agrees with Bruce Nordman. The police made a good raid last week in the Newton zone and within 24 hours all of the people that had been arrested were back on the streets since there were no beds to hold them in the County Jail. He spoke with Janet Weir Creighton and she stated that their #1 goal was to reopen those beds because they were aware of the effect on crime this would have. They need to get the staff hired to cover these beds and get 125 to 150 of them back in use. Council needs to lean on the County Commissioners to get this done. Harold Friedman states that 49th Street is a speedway between Carlton and Colonial Club Apartments because there is no stop sign going west. You can't walk the streets because of the speeders and he is afraid to even shovel the apron of his driveway. The city needs to put a three way stop at 49th Street and Vernon NW. Pat Kirk is very thankful for the appointment to the Tree Commission. James Parker thanked Monique Davis for her service but feels her pain. He would like to create the Snoop Bowl for the inner city youth. He also thanked Dick Drake for wanting to put Cherry trees on Cherry Street. He asks how Redflex will deal with the bus cameras in the situations of 4 lane roads. Dominique Simpson says the government is corrupt. While he was sleeping his car was impounded. He says his car was "stolen" by the police at 10:00 am and his ticket was written at 4:30 pm then the court changed his ticket and gave him a new case. Since the government and all the people here are corrupt they are letting people come into the city and be corrupt too. Tara Nelson says on 2/2/13 she came to speak at Council but when she attempted to sign in for Public Speaks there was no sheet available to sign up. She thought she might be too early so she went back after Committee meetings and the sheet had been pulled. Miss Nelson spoke to Majority Leader Dougherty and Clerk Timberlake about this matter but has not heard back any information on their findings and would like all to know that she feels the public voices are very important. She also invited all to a CashMob at the Amvets being done to help promote local small business. Bret Moore appreciates the work being done by all and he seconds the words of Bruce Nordman. He is the SAFE (Safety Acceptance From Everyone) Director for the Neighborhood Association. He made a call to the city to have a speaker at their meeting regarding fire safety and was told that there was no one available to do that. This was amazing to him that there was no one able to speak to citizens on fire safety. He would really like everyone to get busy and make Canton a great city again.

INFORMAL RESOLUTIONS:

16. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF MICHAEL ABBOTT TO CANTON CONSTRUCTION BD FOR RETRO TERM OF 1/1/13 TO 12/31/15. - ADOPTED

COMMUNICATIONS:

101. ANNEXATION CHAIRMAN HAWK: REQ LEGISLATION FOR STATEMENT OF SERVICES FOR TACO BELL ANNEXATION OF APPROX 1.490 ACRES LOCATED IN PLAIN TOWNSHIP. - ANNEXATION COMMITTEE

102. AUDITOR MALLONN: MONTHLY RPT BY FUND 2/1/13 - 2/28/13. - RECEIVED & FILED

103. AUDITOR MALLONN: YEARLY RPT BY FUND 1/1/13 - 2/28/13. - RECEIVED & FILED

104. COMMUNITY DEV DIR WILLIAMS: AMEND O#2/2006, ECONOMIC GROWTH INITIATIVE. - COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

105. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF D2 D2X D3 D3A D6 LICENSE FROM TONIA HOOVER DBA R & R TAVERN & PATIO @ 3357 MAHONING RD NE 1ST FL TO MARK MILLS DBA MILLS PLACE & PATIO @ 3357 MAHONING RD NE 1ST FL. - RECEIVED & FILED

106. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C1 C2 LICENSE FOR WAYNE EDWARD MARION DBA MAGGIORES DRIVE THRU @ 1037 DUEBER AVE SW. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

107. MAYOR HEALY: ADVISING OF APPT OF DREW PELGER TO CANTON PARK COMMISSION FOR UNEXPIRED TERM OF TERRY PRATER FROM 2/22/13 - 12/31/15. - RECEIVED & FILED
108. MAYOR HEALY: AUTHORIZE APPT OF JOHN STONE TO CANTON TREE COMMISSION FOR TERM OF 3/1/13 - 2/28/14. - PERSONNEL COMMITTEE
109. MAYOR HEALY: AUTHORIZE APPT OF PATRICIA KIRK TO CANTON TREE COMMISSION FOR TERM OF 3/1/13 - 2/28/15. - PERSONNEL COMMITTEE
110. MAYOR HEALY: AUTHORIZE APPT OF LOIS ELLIS TO CANTON TREE COMMISSION FOR TERM OF 3/1/13 - 2/28/15. - PERSONNEL COMMITTEE
111. MAYOR HEALY: AUTHORIZE APPT OF MAUREEN AUSTIN TO CANTON TREE COMMISSION FOR TERM OF 3/1/13 - 2/28/15. - PERSONNEL COMMITTEE
112. SAFETY DIRECTOR REAM: AUTHORIZE SAF DIR TO ENTER INTO 5 YR RECIPROCAL SERV AGMT WITH STARK STATE COLLEGE OF TECHNOLOGY FOR USE OF A CITY OWNED 1982 TOWER TRUCK FOR FIRE-FIGHTING TRAINING PURPOSES; AUTHORIZE DONATION OF THIS VEHICLE AT END OF AGMT IN 2018. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
113. SERVICE DIRECTOR PRICE: REQ WITHDRAW OF COMMUNICATION #75 FROM THE 2/11/13 AGENDA. - RECEIVED & FILED
114. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A DESIGN CONTRACT FOR FAIRCREST SANITARY SEWER PROJ, GP 1142 WITH CTI ENGINEERS, INC.; AUTHORIZE AUDITOR TO ESTABLISH & CREATE THE 5401 FUND (HB 487 SANITARY SEWER PILOT PROGRAM) TO TRACK PROJ REVENUES AND EXPENDITURES; MAKE A \$690,892.16 SUPP APPROP FROM 5410 UNAPPROP BAL (SANITARY SEWER OPERATING FUND) TO 5410-202010 (ENGINEERING DAILY OPERATIONS - OTHER); MAKE A \$690,892.16 INTERFUND TRANSFER FROM 5410-202010 (SANITARY SEWER OPERATING FUND) TO 5401 (HB 487 SANITARY SEWER PILOT PROG); MAKE A \$597,392.74 SUPP APPROP FROM 5401 UNAPPROP BAL (HB 487 SANITARY SEWER PILOT PROG) TO 5401-202010 (ENGINEERING DAILY OPERATIONS - OTHER); MAKE A \$93,499.42 SUPP APPROP FROM 5401 UNAPPROP BAL (HB 487 SANITARY SEWER PILOT PROG) TO 5401-202061 (I-77/FAIRCREST ANNEX SANITARY SEWER PROJ, GP 1142 - OTHER); AUTHORIZE & DIRECT AUDITOR TO DRAW WARRANTS & MAKE PYMTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
115. SERVICE DIRECTOR PRICE: REQ CREATION OF FUND 1151 - STARK COUNTY/CANTON LAND REUTILIZATION & DEBT FUND; REQ \$1,000,000.00 APPROP FROM UNAPPROP BAL 1151 - LAND REUTILIZATION & DEBT FUND TO 1151 101501 CODE ENFORCEMENT - OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. RESOLUTION WITHDRAWING CANTON'S OBJECTION TO THE RENEWAL OF A LIQUOR PERMIT WITHIN THE CITY; EMERGENCY (JOHN LS 704-4TH ST SW)
Referred to Judiciary Committee
- 1ST RDG 2. AMEND APPROP O#209/2012, AS AMENDED BY MAKING SUPP APPROP HEREIN DESCRIBED; EMERGENCY (3 APPROP FIRE ADMIN; 1 APPROP POLICE ADMIN)
Referred to Finance Committee
- 1ST RDG 3. AMEND APPROP O#209/2012; EMERGENCY (\$30,000.00 - 2317 301001 LOCAL HEALTH ASSESSMENT AND ACCRED - OTHER)
Referred to Finance Committee
- 1ST RDG 4. AMEND APPROP O#209/2012; EMERGENCY (16 VARIOUS HEALTH FUNDS)
Referred to Finance Committee
- 1ST RDG 5. AUTHORIZE SAF DIR TO ENTER INTO A 3 YR CONTRACT WITH SHOTSPOTTER FLEX IN A TOTAL AMT NOT TO EXCEED \$360,000.00; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 6. AUTHORIZE MAYOR AND/OR SERV DIR TO MAKE APPLICATION, ENTER INTO CONTRACT FOR & REC FUNDS FOR VARIOUS GRANT PROG; EMERGENCY
Referred to Finance Committee
- 1ST RDG 7. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS AND ENTER INTO CONTRACT(S) FOR PURCHASE OF ONE (1) 2013 OR NEWER HEAVY DUTY CREW TRUCK CAB & CHASSIS IN AN AMT NOT TO EXCEED \$42,000.00 WITH A SEPARATE SERV BODY WITH ACCESSORIES AT AN APPROX COST OF \$16,000.00 TO BE INSTALLED ON THIS TRUCK & ONE (1) VALVE OPERATING MAINT TRAILER SYSTEM IN AMT NOT TO EXCEED \$75,000.00 FOR WATER DEPT; AUTHORIZE SERV DIR TO ENTER INTO CONTRACT(S) FOR PURCHASE OF VARIOUS VEHICLES & EQUIP PURSUANT TO O.R.C. SECTION 125.04; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 8. RESOLUTION ADOPTING PLANS, AUTHORIZE MAYOR AND/OR SERV DIR TO COOPERATE WITH AND REQ DIRECTOR OF TRANSPORTATION TO PROCEED WITH RESURFACING OF PORTION OF HARRISON AVE OVER US 30 INCLUDING THE BRIDGE APPROACHES; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 9. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT IN AN AMT NOT TO EXCEED \$90,000.00 FOR LIGHTING REPAIRS AT THURMAN MUNSON MEMORIAL STADIUM; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 10. AUTHORIZE SERV DIR TO PURCHASE VEHICLES FOR THE ENGINEERING DEPT PURSUANT TO STATE COOPERATIVE PURCHASING AGMT OR TO ALTERNATIVELY ADVERTISE, REC BIDS AND ENTER INTO CONTRACT(S) FOR PURCHASE OF SAID VEHICLES; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 11. AUTHORIZE & CONSENT TO CONSTRUCTION OF SIDEWALK ALONG 55TH ST; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 12. AUTHORIZE & CONSENT TO MOWING IN VARIOUS SPOTS ON IR77; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 13. AUTHORIZE & CONSENT TO INSTALLING EPOXY PAVEMENT MARKINGS ON US 30 & IR 77; EMERGENCY
Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#14 - O#20; O#14 & O#15 WITHDRAWN)**

- WITHDRAWN**14. 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)
- WITHDRAWN**15. AUTHORIZE AUDITOR TO ESTABLISH TWO FUNDS FOR THE RECEIPT AND DISBURSEMENT OF REVENUES COLLECTED IN CONJUNCTION WITH AUTOMATED TRAFFIC ENFORCEMENT PROG(JUD)
- 2ND RDG 16. 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 (FIN)
- 2ND RDG 17. CONSIDER & APPROVE PETITION FOR RENEWAL OF OPERATING ASSESSMENT OF DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; EMERGENCY (JUD)
- 2ND RDG 18. AUTHORIZE CHIEF STEPHEN RICH & CANTON FIRE DEPT TO DONATE USED FIRE EQUIPMENT TO A HONDURAS FIRE DEPT (FIN)
- 2ND RDG 19. AUTHORIZE CITY AUDITOR TO PAY \$333.68 TO LIFE GAS; EMERGENCY (FIN)
- 2ND RDG 20. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID & DELINQUENT CHARGES FOR REMOVAL OF NOXIOUS WEEDS & DEBRIS; EMERGENCY (FIN)

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

- 38/2013** 21. AMEND APPROP O#209/2012; EMERGENCY (\$30,000.00 2760 102001 POLICE ADMIN - PERSONNEL)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, MARCH 11, 2013 in Council Caucus Room at 6:00 P.M.**

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

MISCELLANEOUS BUSINESS: Member Cirelli talks about an ad in The Repository on Sunday from a company in Dover, Ohio that will take street lights, light poles, grave markers, etc for scrap and while she knows there is no control over Dover, can someone please address this. Law Director Martuccio says that the first part of the ad is a public service announcement to advertise for business but if he read it correctly, these are all items that the company would not take for scrap. Member Cirelli then states that she had not had time to read it because it had been given to her by a constituent. Member West is looking at an EEO report for the city from February and it shows 129 African Americans, 1 Asian and 1 Hispanic worker in the total of 804 city employees. This is only 6% so he would like all departments to even out their employees to the community base of the population. Member Cirelli questions the Finance Director on any travel expenses he may receive from the Mayor. Finance Director DiRuzza states that all items from the Mayor is included on the long spreadsheet that Council receives each month but if she is looking for a particular expense, she could let him know. Member Cirelli states that she has been told the Mayor is currently in China and asks who is paying for this trip. Is it business or personal? Are there any Community Development dollars going to fund this trip? Community Development Director Williams says that no CD or CDBG money of any type is being used for this trip. Service Director Price says he is traveling with the group that was formerly named the Summit Mayor's Association but they now have a new name. It is still Mayors from Summit, Portage, Stark and possibly other surrounding counties. Member Cole asks the status of Canton's Animal Control situation or TNR program since there is no longer an Animal Control officer. Member Morris responses by explaining that the TNR group could not get along. They were all fighting like cats and dogs. They did as a committee develop a policy but it was not put into place because of the money. He was told that this could be an amendment to the previous Animal Control contract if it was ever needed. Member Cole asked then if the city would just remain without animal control. Safety Director Ream did state at this time there would not be an Animal Control officer. Law Director Martuccio states the figures provided by Member West for the African Americans actually calculates out to 16% not 6% but that he agrees that is low. With some of the positions that have people retiring, they have been looking at filling Police and Fire with more diverse employees. The administration and Human Resources department continues to look for recruitments for minorities in all positions. President Schulman says that only 2 legislators responded to the invitation and neither of them were available for tonight's meeting. A small group will be meeting with Representative Slesnick and Senator Oelslager later in the month. He commended the Clerk and staff for always doing a good job. Member West asked the Clerk to report on her findings for Miss Nelson. Clerk Timberlake stated that the tape had been reviewed the very next day and it was found that the Public Speaks sign up sheet had been on the counter during the entire time and had been pulled at the correct time to begin the Council meeting. This information had not been provided to her because she had not attended a meeting since that time. Member Smith thanked all for the well wishes during the passing of her niece. She also thanked Members Dougherty and Babcock along with the Clerk for bringing food to her home.

ADJOURNMENT: 8:29 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 11, 2013 @ 7:30 PM