

**FINAL
AGENDA
7:30 PM**

CANTON CITY COUNCIL

APRIL 15, 2013

ROLL CALL: Eleven Council Members Present
MOTION TO EXCUSE MEMBERS: Member Hawk Absent
INVOCATION: Thomas West, Ward 2 Council Member
PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1ST Rdg O#9 & O#10; 2ND Rdg O#11 - O#13 & O#15; O#9 and O#10 Adopted on 1ST Rdg; O#14 Retained in Committee; O#18 Postponed until 4/22/13)

PUBLIC HEARINGS: None

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

PUBLIC SPEAKS (CITY BUSINESS): Pete DiGiacomo discussed newspaper article eliminating Council-at-Large positions. He is against this because of their help in closing a neighborhood bar. He does not think this is a positive change. Bruce Brewer represents Group 175. They are citizens and businesses that are determined to get 175 officers on the streets. Leroy Lynch thanked Director Price for working towards a method of having handicaps take Civil Service exams. He feels that some people who got a raise last week also have a very large pension. Kenneth King says he found 30 or 40 people in the midst of a large fight on Wertz Avenue. He is concerned about his neighborhood and wants to know what to do in a situation until police arrive because that can be a crucial time. Bruce Nordman says Group 175 will be meeting with the Mayor tomorrow and his feelings are and will remain that the Police Department needs to be staffed at 175. They feel arrests are down because staff is down. Ray Skotnicky lost his job over retire/rehire situation. He worked for the city for 36 years and at no time did he attempt to retire. He submitted paperwork from his supervisor to OPERS to claim benefits only. He stated that the appointing authorities were all aware of the persons that were receiving these benefits while remaining in their positions. The city officials had established a policy and procedure to encourage and recruit employees to take advantage of this. James Parker still wants the Ordinance regarding the fees for massage therapist to be abolished because it makes touching illegal. Kliff Speaker remarking about the Mayor's salary. If it is based on the population or the Consumer Price Index he is overpaid. Patricia Kirk wants the Board of Elections to remain in a downtown central location because of all of the work that is done there after voting is completed. Henry Preston states there is inappropriate use of equipment by city employees like receiving voicemail when calling into departments.

INFORMAL RESOLUTIONS:

25. CNCL-AT-LRG MBR CIRELLI & WARD CNCL MBRS GRIFFIN AND MACK: AUTHORIZE SAF DIR TO IMPOSE TEMPORARY MORATORIUM FOR A PERIOD OF 180 DAYS ON PROCESSING & ISSUANCE OF PERMITS AND LICENSING FOR AN AMUSEMENT ARCADE WHERE MORE THAN 5 SKILL BASED AMUSEMENT AND/OR COMPUTERIZED SWEEPSTAKES DEVICES ARE PRESENT. - ADOPTED
26. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF BERNADINE SNELL (JENKINS) TO CANTON CITY BOARD OF HEALTH FROM 4/1/13 TO 3/31/18. - ADOPTED

COMMUNICATIONS:

168. AGENT FOR PETITIONER, SLIMAN: RECEIPT OF PERTINENT DOCUMENTS FOR THE TACO BELL ANNEXATION. - RECEIVED & FILED
169. COURT ADMIN KOCHERA: 2012 MUNICIPAL COURT ANNUAL REPORT. - RECEIVED & FILED
170. DEVELOPMENT DIR WILLIAMS: REQ APPROVAL & AUTHORIZE IMPLEMENTATION OF NEIGHBORHOOD REVITALIZATION STRATEGY AREA PLAN; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS WITH COMMUNITY BASED DEVELOPMENT ORGANIZATIONS USING CDBG FUNDS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
171. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ENTER INTO AMENDED EXTENSION SERVICE AGMT WITH KEYBANK FOR A LANE OF TRAVEL TO THE ATM LOCATED ON THE MILLENNIUM PARKING DECK. - FINANCE COMMITTEE
172. SERVICE DIRECTOR PRICE: REQ PREPARATION OF ORDINANCE TO SETTLE A PORTION OF THE CIVIL LITIGATION INVOLVING 18 OF THE EMPLOYEES INVOLVED WITH RETIRE/REHIRE. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

1ST RDG 1. ESTABLISH FAIR MARKET VALUE OF REAL PROP; AUTHORIZE MAYOR AND/OR SERV DIR TO ACCEPT DONATION OF \$22,999.90 IN VALUE OF REAL PROP; NEGOTIATE, ENTER INTO A PURCH AGMT & PURCHASE A 44.452 ACRE PARCEL FROM DIANO REALTY CORP IN AMT NOT TO EXCEED \$436,998.10 AND TO NEGOTIATE & ENTER INTO FIRST RIGHT OF REFUSAL AGMT FOR PURCHASE OF A 4.132 ACRE PARCEL OWNED BY DIANO REALTY CORP; AMEND APPROP O#209/2012; RESTRICTING EXPLOITATION OF MINERAL RIGHTS ON PROP; EMERGENCY
Referred to Public Property Capital Improvement Committee

1ST RDG 2. VACATE THE UNIMPROVED PORTIONS OF MAXINE AVE NE; MARTHA AVE NE; FAIRMONT ST NE; GRIDLEY AVE NE AND REGENT AVE NE; APPROVE & ACCEPT REPLAT OF VACATED STREETS AND OUTLOTS 1313 THROUGH 1316, 28728 THROUGH 28737 AND 42892 THROUGH 42969; EMERGENCY
Referred to Public Safety and Thoroughfares Committee

PUB HRG 4/29/13 @ 7:30 PM

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 3. AMEND CHAP 105, CONTRACTS, OF CODIFIED ORDINANCES OF CITY OF CANTON TO INCLUDE A LOCAL PURCHASE PREFERENCE FOR VEHICLES
Referred to Judiciary Committee
- 1ST RDG 4. AUTHORIZE SERV DIR TO ENTER INTO PROF SVCS AGMT WITH ZENITH SYSTEMS, LLC IN AMT NOT TO EXCEED \$25,000.00 TO PROVIDE CONSULTANT SERV FOR UPGRADES TO THE COURTROOMS; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 5. AUTHORIZE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGMT WITH NEW DAWN DEVELOPMENT HERSBERGER FAMILY LLC TO PROVIDE A REL PROP TAX EXEMPTION; AUTHORIZE AUDITOR TO MAKE PYMTS TO CANTON LOCAL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82(C) OF THE REVISED CODE; EMERGENCY
Referred to Community and Economic Development Committee
- 1ST RDG 6. AUTHORIZE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGMT WITH CPX SOUTH CANTON, LLC TO PROVIDE A REL PROP TAX EXEMPTION; AUTHORIZE AUDITOR TO MAKE PYMTS TO CANTON LOCAL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82(C) OF THE REVISED CODE; EMERGENCY
Referred to Community and Economic Development Committee
- 1ST RDG 7. AUTHORIZE SERV DIR TO ENTER INTO A THREE YEAR AGMT WITH DELL/MCPC IN AMT NOT TO EXCEED \$36,100.00 FOR THE KACE 1100 MGMT APPLIANCE PURSUANT TO ORC SECTION 125.04; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 8. AUTHORIZE SERV DIR TO ENTER INTO A FIVE YEAR CONTRACT WITH AT&T IN AMT NOT TO EXCEED \$100,000.00 FOR UPGRADE OF CITY WIDE AREA NETWORK (WAN) PURSUANT TO ORC SECTION 125.04; EMERGENCY
Referred to Public Property Capital Improvement Committee

(COUNCIL RECESSED AT 8:10 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #9 AND #10; RECONVENED AT 8:19 P.M.)

- 71/2013 9. AUTHORIZE MAYOR TO ACCEPT A \$1,500.00 GRANT FROM WAL-MART FOR FAIR HOUSING MONTH ACTIVITIES; EMERGENCY
Referred to Finance Committee
- 72/2013 10. AUTHORIZE SETTLEMENT OF GRIEVANCES FILED AGAINST CITY OF CANTON BY AFSCME LOCAL 2937 AND 3449 REGARDING 18 FORMER EMPLOYEES; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#11 - O#13 AND O#15; O#14 RETAINED IN COMMITTEE)

- 2ND RDG 11. AUTHORIZE EDITING & INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODES OF THE CODIFIED ORDINANCES OF CANTON OH; EMERGENCY (JUD)
- 2ND RDG 12. AUTHORIZE LAW DIR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS & PUBLIC INSTITUTIONS COPIES OF 2013 SUPPLEMENTAL TO CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; EMERGENCY (JUD)
- 2ND RDG 13. AUTHORIZE SERV DIR TO ENTER INTO PROF SVCS CONTRACT IN AMT NOT TO EXCEED \$95,000.00 W/CTI ENGINEERS INC TO PREPARE PLANS & SPECS FOR REPLACEMENT OF FAILING WATER MAINS ON WESTMORELAND AVE NW & VICINITY; AMEND APPROP O#209/2012; EMERGENCY (FIN)

RETAINED IN CMTE

14. AUTHORIZE SERV DIR TO AMEND EXISTING JACKSON-CANTON JOINT ECONOMIC DEV DISTRICT CONTRACT; EMERGENCY (JUD)
- 2ND RDG 15. AMEND APPROP O#209/2012; AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO GRANT AGMT W/CCIC IN AMT NOT TO EXCEED \$175,000.00 FOR PURPOSE OF FUNDING CANTON REGIONAL CHAMBER OF COMMERCE ACTIVITIES; EMERGENCY (PPCI)

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

- 73/2013 16. TEMPORARILY SUSPENDING THE 3% CAP FOR THE FINANCE DIRECTOR'S POSITION
- 74/2013 17. AUTHORIZE A STIPEND, IN AMT NOT TO EXCEED \$12,000.00 PER YEAR, TO ANY INDIVIDUAL SERVING SIMULTANEOUSLY AS DIRECTOR OF PUBLIC SAFETY AND DIRECTOR OF PUBLIC SERVICE; EMERGENCY

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

4/22/13 18. AUTHORIZE SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH BENNETT & WILLIAMS ENVIRONMENTAL CONSULTANTS, INC. IN AMT NOT TO EXCEED \$498,600.00 TO PERFORM A COMPREHENSIVE SOURCE WATER PROTECTION PROJ; AMEND APPROP O#209/2012; EMERGENCY (\$498,600.00 FROM UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 WATER FUND - OTHER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, APRIL 22, 2013 in Council Caucus Room at 6:30 P.M.**

- 1) Community & Economic Development Committee
- 2) Public Property Capital Improvement Committee
- 3) Judiciary Committee
- 4) Public Safety & Thoroughfares Committee

MISCELLANEOUS BUSINESS: Member West states this Thursday, on April 18th there will be a Senior Dance for those 50 and over at the Corporate Lounge. Please come prepared to dance. He also wanted to point out that Council never voted against a Charter form of government. This issue did not even make it to Council because they wanted the citizens to be more informed and there was no interest by the community to attend meetings. Member West asked that going forward that all Members in the horseshoe and members of the audience leave the politicking at the door and be civil to one another. Member Cole says that the Resolution he is introducing for the reduction of Council Members should be done in the next week or so but he is always available to have conversations if there are any questions. President Schulman asking where Ms. Cavanaugh was this evening since she was to address Council on the demolition status. Service Director Price stated that Angela Cavanaugh was not feeling well and planned to be in attendance next week.

ADJOURNMENT: 8:36 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, APRIL 22, 2013 @ 7:30 PM