

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

CANTON CITY COUNCIL

APRIL 22, 2013

ROLL CALL: Twelve Member Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Chris Smith, Ward 4 Council Member

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#4 & 2nd Rdg O#5 - O#9 and O#11 - O#13; O#4 Adopted on 1st Rdg; O#10 Retained in Committee)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Bruce Nordman re: Discussed his desires to have 175 Police Officers; James Parker re: Expressed his dismay with the massage ordinance; Henry Preston re: Discussed the bike trail.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

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| 173. | ANNEXATION CHAIR HAWK: | REQ TO INITIATE STATEMENT OF SVCS FOR HALL OF FAME ANNEXATION IN PLAIN TWP. - ANNEXATION COMMITTEE |
| 174. | CNCL AT LG MBR COLE: | REQ LEGISLATION TO UTILIZE THE ALTERNATIVE PLAN FOR THE COMPOSITION OF LEGISLATIVE AUTHORITY AS WRITTEN IN SEC. 731.01 & SET NUMBER OF COUNCIL PERSONS TO A FIXED NUMBER OF 9 WARD MEMBERS. - JUDICIARY COMMITTEE |
| 175. | FINANCE DIRECTOR DIRUZZA: | REQ TO AMEND APPROP O#209/2012 BY MAKING \$33,000 SUPP APPROP FROM UNAPPROP BAL 1001 GENERAL FUND TO 1001 506001 COMM DEV ADMIN - PERSONNEL. - FINANCE COMMITTEE |
| 176. | FIRE DEPARTMENT: | 2012 ANNUAL RPT. - RECEIVED & FILED |
| 177. | LIQUOR CONTROL DIV (OHIO): | REQ NEW D5 LIQ PERMIT FOR JASMINE ASIAN BISTRO LLC DBA JASMINE @ 1122 30 TH ST NW. - RECEIVED & FILED |
| 178. | LIQUOR CONTROL DIV (OHIO): | REQ NEW D5 LIQ PERMIT FOR DONALD E CHARNETZKY 1 ST FLR & PATIO @ 1757 CLEVELAND AV SW. - RECEIVED & FILED |
| 179. | PERSONNEL COMMITTEE: | REQ AMENDMENT TO PERSONNEL ORDINANCES AFFECTING RAISES OF FIDUCIARY & UNCLASSIFIED EMPLOYEES. - PERSONNEL COMMITTEE |
| 180. | SAFETY DIRECTOR REAM: | DECLARE VARIOUS BLDGS UNSAFE & HAZARDOUS FOR WHICH DEMOLITION IS REQUIRED. - FINANCE COMMITTEE |
| 181. | SERVICE DIRECTOR PRICE: | AUTHORIZE MAYOR &/OR SERV DIR TO EXECUTE CHANGE ORDER #4 FINAL FOR WEST SIDE INTERCEPTOR SANITARY SEWER REHABILITATION PROJ GP 1138 W/INSITUFORM TECHNOLOGIES FOR AMT OF \$30,635.00; REQ \$15,623.85 SUPP APPROP; REQ \$15,011.15 SUPP APPROP; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY THE PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE |

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

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|---------------------------|----|---|
| <u>1ST RDG</u> | 1. | AMEND TITLE ONE, STREETS & SIDEWALK AREAS, OF PART NINE-STREETS, UTILITIES & PUBLIC SVCS CODE OF THE CODIFIED ORDINANCES BY THE ADDITION OF CHAPTER 923, ROADSIDE MEMORIAL PROG
<u>Referred to Judiciary Committee</u> |
| <u>1ST RDG</u> | 2. | AUTHORIZE & APPROVE THE IMPLEMENTATION OF THE NEIGHBORHOOD REVITALIZATION STRATEGY AREA PLANS; AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO VARIOUS CONTRACTS W/COMMUNITY BASED DEVELOPMENT ORGANIZATIONS, SUBRECIPIENTS, DEVELOPERS &/OR OTHER LOCAL AGENCIES OR INDIVIDUALS FOR VARIOUS PROJS USING CDBG FUNDS; EMERGENCY
<u>Referred to Community & Economic Development Committee</u> |
| <u>1ST RDG</u> | 3. | AUTHORIZE SERV DIR TO ENTER INTO AN AMENDMENT TO EXTEND SERV AGMT W/KEYBANK NAT'L ASSOC FOR AN ATM TERMINAL @ THE MILLENNIUM PARKING DECK; EMERGENCY
<u>Referred to Finance Committee</u> |

(COUNCIL RECESSED AT 7:47 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #4; RECONVENED AT 7:50 P.M.)

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 75/2013** 4. _____ DECLARE 19 BLDGS TO BE PUBLIC NUISANCES; AUTHORIZE SAF DIR TO ENTER INTO CONTRACT FOR DEMO OF SAID BLDGS; AUTHORIZE CLERK OF COUNCIL TO CERTIFY COSTS OF DEMO TO STARK COUNTY AUDITOR; EMERGENCY
 Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#5 - O#9 & O#11 - O#13; O#10 RETAINED IN CMTE)**

- 2ND RDG** 5. AUTHORIZE SERV DIR TO AMEND EXISTING JACKSON-CANTON JOINT ECONOMIC DEV DISTRICT CONTRACT; EMERGENCY (JUD)
- 2ND RDG** 6. 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 (PPCI)
- 2ND RDG** 7. 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 (PS&T) **PUB HRG 4/29/13 @ 7:30 PM**
- 2ND RDG** 8. _____ AMEND CHAP 105, CONTRACTS, OF CODIFIED ORDINANCES OF CITY OF CANTON TO INCLUDE A LOCAL PURCHASE PREFERENCE FOR VEHICLES (JUD)
- 2ND RDG** 9. _____ 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 (PPCI)

RETAINED IN**COMMITTEE**

10. AUTHORIZE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGMT WITH NEW DAWN DEVELOPMENT HERSBERGER FAMILY LLC TO PROVIDE A REAL 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 (C&ED)
- 2ND RDG** 11. 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 (C&ED)
- 2ND RDG** 12. _____ 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 (PPCI)
- 2ND RDG** 13. 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 (PPCI)

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

- 76/2013** 14. 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)
- 77/2013** 15. AUTHORIZE EDITING & INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODES OF THE CODIFIED ORDINANCES OF CANTON OH; EMERGENCY
- 78/2013** 16. 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
- 79/2013** 17. _____ 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
- 80/2013** 18. 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, APRIL 29, 2013 in Council Caucus Room at 6:00 P.M.**

- 1) Judiciary Committee
- 2) Community & Economic Development Committee
- 3) Finance Committee

MISCELLANEOUS BUSINESS: Member West re: Announced that B-Earth Day is April 27th and there will be a clean up of Nimissilla Park from 10:00 to 12:00. Also invited everyone to an event that Stand Up Ohio is having at Nimissilla Park on April 30th at noon; Mayor Healy re: Requested that the Personnel Committee schedule a work session to discuss Communication #179; Law Director Martuccio re: Advised of how city resources, such as soil on the Diano property, has to be sold. Announced that this week is Law Week and there will be a Naturalization Ceremony at Timken High School this Friday at 10:30. Also announced that there will be a show called 12 Angry Men in Alliance at their firehouse theater this weekend for 3 shows as a part of Law Week.

ADJOURNMENT: 8:29 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, APRIL 29, 2013 @ 7:30 PM