

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

CANTON CITY COUNCIL

MAY 13, 2013

**ROLL CALL:** Twelve Council Members Present

**MOTION TO EXCUSE MEMBERS:** Not Necessary

**INVOCATION:** John Mariol, Ward 7 Council Member

**PLEDGE OF ALLEGIANCE:** President Allen Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#10 - O#14; O#1 Withdrawn; O#9 Retained in Committee; O#15 Postponed until 6/3/13 & O#18 Postponed until 7/1/13)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Pete DiGiacomo re: Doesn't think the elimination of the Council at Large positions is a good idea; Erina Martin, Phyllis Bond and Precious Cox re: Discussed problems with people standing around with weapons, drugs and alcohol from 11:00 AM until 1:00 AM on the corner of 16<sup>th</sup> and Struble NE. They are asking for help in that area; James Parker re: Discussed changes he would like to see at Central Plaza.

**INFORMAL RESOLUTIONS:**

28. WARD 4 CNCL MBR SMITH & WARD 6  
CNCL MBR DOUGHERTY: AUTHORIZING THE CITY OF CANTON TO FILE AN APPLICATION TO THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO BROWNFIELD PROGRAM. - ADOPTED

**COMMUNICATIONS:**

197. AUDITOR MALLONN: MONTHLY RPT BY FUND FROM 4/1/13 - 4/30/13. - RECEIVED & FILED
198. AUDITOR MALLONN: YEARLY RPT BY FUND FROM 1/1/13 - 4/30/13. - RECEIVED & FILED
199. COUNCIL AS A WHOLE: REQ TO AMEND EXHIBIT A TO O#40/2000 TO INCREASE SALARY OF PROBATIONARY POLICE OFFICERS. - PERSONNEL & FINANCE COMMITTEE
200. COUNCIL MBR WEST, WARD 2: REQ DRAFT LEGISLATION THAT WILL INCREASE TERM OF COUNCIL MEMBERS TO MIMIC THAT OF THE MAYORAL ELECTION. - JUDICIARY COMMITTEE
201. COUNCIL MBR WEST, WARD 2: REQ TO AMEND O#181/2011 (ITINERANT RETAILERS) TO EXCLUDE TRUCKS & TRAILERS FROM THE FOUNTAIN AREA. - JUDICIARY COMMITTEE
202. DEVELOPMENT DIRECTOR WILLIAMS: RECOMMENDING APPROVAL OF PROPOSED LOT SPLIT/REPLAT OF 415 47<sup>TH</sup> ST NW (PARCEL #301329 & LOT# 35852) (THOMAS & LIESL FORBES & GERALD & MARCIA CRAMER) IN WARD 8. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
203. DEVELOPMENT DIRECTOR WILLIAMS: RECOMMENDING APPROVAL OF PROPOSED ZONE CHANGE OF 133 HARRISON AVE SW (PARCEL #228696 & LOT #9775) FROM R-1a (RESIDENTIAL) TO PB-3 (PLANNED GENERAL BUSINESS) (RICHARD & SHARON MEDLA) IN WARD 5. - JUDICIARY COMMITTEE
204. DEVELOPMENT DIRECTOR WILLIAMS: RECOMMENDING APPROVAL OF PROPOSED ZONE CHANGE OF 127/129 HARRISON AVE SW (PARCEL #214861 & PT LOT #9774) FROM R-1a (RESIDENTIAL) TO PB-3 (PLANNED GENERAL BUSINESS) (LUBOV, INC) IN WARD 5. - JUDICIARY COMMITTEE
205. DEVELOPMENT DIRECTOR WILLIAMS: RECOMMENDING APPROVAL OF PROPOSED ZONE CHANGE OF THE SOUTHWEST CORNER OF DRYDEN AVE SW & GROVE PL SW (LOT #9774) FROM R-1a (RESIDENTIAL) TO PB-3 (PLANNED GENERAL BUSINESS) (LRC-A TUSC PROPERTIES LLC) IN WARD 5. - JUDICIARY COMMITTEE
206. DEVELOPMENT DIRECTOR WILLIAMS: RECOMMENDING APPROVAL OF PROPOSED ALLEY VACATION OF DRYDEN AVE SW FROM W TUSC AVE TO ITS SOUTHERN MOST INTERSECTION WITH GROVE PL SW & OF GROVE PL SW FROM DRYDEN AVE SW TO HARRISON AVE SW (JOHN WOJTLA OF THE ZAREMBA GROUP LLC, AGENT FOR DEARBORN LAND INVESTMENT LLC) IN WARD 5. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
207. DIRECTOR OF COMPLIANCE PERRY: REQ TO AMEND APPROP O#209/2012 BY MAKING \$5,000.00 SUPP APPROP FROM UNAPPROP BAL OF 6017 HEALTH & LIFE INSURANCE TO 6017 501101 HUMAN RESOURCES ADMIN - OTHER TO CONTINUE PAYING US HEALTHWORKS INC FOR THEIR SVCS RELATED TO WORK EVALUATIONS, DRUG SCREENS & RETURN TO WORK EVALUATIONS. - FINANCE COMMITTEE

**COMMUNICATIONS CONTINUED:**

208. LIQUOR CONTROL DIV (OHIO): REQ NEW C2 D1 LIQ PERMIT FOR GRAPES IN A GLASS LLC @ 575 MARKET AVE N. - RECEIVED & FILED
209. MAJORITY LEADER DOUGHERTY, ASSISTANT MAJ LEADER GRIFFIN & PRESIDENT SCHULMAN: REQ TO AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/CCIC TO PROVIDE A GRANT UTILIZING GENERAL FUND DOLLARS IN A TOTAL AMT NOT TO EXCEED \$250,000.00 FOR GRANTS, LOANS & ADMIN COSTS; DOLLARS PREVIOUSLY BUDGETED IN 2013 FY BUDGET. - FINANCE COMMITTEE
210. SAFETY DIRECTOR PRICE: REQ TO AUTHORIZE MAYOR &/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCHASE OF NEW BULLETPROOF VESTS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
211. SAFETY & SERVICE DIRECTOR PRICE: REQ TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR PURCHASE OR LEASE OF VARIOUS VEHICLES (FOR FIRE, POLICE, STREET DEPT & DMV). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
212. SERVICE DIRECTOR PRICE: ADVISING THAT THE CITY WILL BE ENTERING INTO A PLA FOR THE PHOSPHORUS/TOTAL NITROGEN & MISCELLANEOUS IMPROVEMENTS PROJECT (WRF). - RECEIVED & FILED
213. SERVICE DIRECTOR PRICE: REQ TO AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A ONE YR CONTRACT W/SMHA, WHEREBY THE CITY WILL REC MONETARY COMPENSATION IN EXCHANGE FOR VEHICLE MAINTENANCE & FUEL SVC PERFORMED BY CITY OF CANTON DMV. - FINANCE COMMITTEE
214. SERVICE DIRECTOR PRICE: REQ IN CONJUNCTION WITH CANTON PARK SYSTEM CAPITAL FUNDS FOR UPGRADES & REPAIRS TO THE NIMISILLA PARK TENNIS COURTS IN AN EFFORT TO REPURPOSE THEM AS BASKETBALL COURTS NOT TO EXCEED \$40,000; AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR RESURFACING OF THE TENNIS COURTS; AUTHORIZE CANTON PARK SYSTEM TO GENERAL CONTRACT REMAINING DEVELOPMENTS OF THIS PARK FACILITY THE USE OF CITY FORCES &/OR LOCAL CONTRACTORS & SUPPLIERS. - PARKS & RECREATION & FINANCE COMMITTEES
215. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR APRIL 2013. - RECEIVED & FILED
216. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS TO AMBULANCE LOCK BOX FOR APRIL 2013. - RECEIVED & FILED
217. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 4/30/13. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

- WITHDRAWN** 1. TO PROVIDE FOR THE ISSUANCE & SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,500,000.00 FOR THE PURPOSE OF REFUNDING BOND ANTICIPATION NOTES PREVIOUSLY ISSUED FOR THE PURPOSE OF PROVIDING FUNDS TO PAY A COURT APPROVED SETTLEMENT OF A CLAIM AGAINST THE CITY; EMERGENCY (PIROLOZZI)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZE ACCEPTANCE OF LAND TITLE RIGHTS FOR CERTAIN LANDS FKA AS "MOTHER GOOSELAND"; EMERGENCY  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 3. AMEND APPROP O#209/2012; EMERGENCY (\$21,600.00 FROM UNAPPROP BAL OF THE 1001 GENERAL FUND TO 1001 102001 POLICE - ADMIN - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 4. AMEND APPROP O#209/2012; EMERGENCY(\$33,500.21 FROM UNAPPROP BAL OF THE 6091 MANAGEMENT INFORMATION SERV TO 6091 504010 INFORMATION TECHNOLOGY - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. AUTHORIZE AUDITOR TO PAY \$2,400.00 TO LONNIE BOWLING'S USED CAR SALES INC; EMERGENCY  
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:**

- 1<sup>ST</sup> RDG 6. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/BOWMAN APPRAISAL SERVICE INC TO COMPLETE APPRAISAL REVIEW WORK FOR THE MAHONING ROAD COORIDOR PROJ GP 1103; AMEND APPROP O#209/2012; EMERGENCY (\$14,300.00 FROM UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PROJ GP 1103 FUND TO 4566-202079 MAHONING RD CORRIDOR PROJ GP 1103)  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG 7. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/TRANSYSTEMS REAL ESTATE CONSULTING INC TO COMPLETE THE RIGHT-OR-WAY ACQUISITION SERVICES FOR THE MAHONING ROAD CORRIDOR PROJ GP 1103; AMEND APPROP O#209/2012; EMERGENCY (\$115,819.00 FROM UNAPPROP BAL OF THE 4566 MAHONING RD CORRIDOR PROJ GP 1103 FUND TO 4566-202079 MAHONING RD CORRIDOR PROJ GP 1103)  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG 8. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONTRACT IN AN AMT NOT TO EXCEED \$42,500.00 FOR THE REPLACEMENT OF THE WRF MAINTENANCE BLDG BOILER; AMEND APPROP O#209/2012; EMERGENCY (\$42,500.00 FROM UNAPPROP BAL OF THE 5410 SANITARY SEWER FUND TO 5410 206048 WRF MAINTENANCE BLDG BOILER PROJ - OTHER)  
Referred to Public Property Capital Improvement Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:  
(SUSPENDED RULE 22A TO ADD O#10 - O#14; O#9 RETAINED IN COMMITTEE)****RETAINED IN  
CMTE**

9. 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&E)
- 2<sup>ND</sup> RDG 10. RESOLUTION APPROVING STATEMENT OF SERVICES TO BE PROVIDED TO THE PROP OWNER IN THE HALL OF FAME ANNEXATION AREA, THE APPROXIMATE DATE SERV WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; EMERGENCY (ANNEX)
- 2<sup>ND</sup> RDG 11. RESOLUTION TO SUBMIT TO THE ELECTORS OF THE CITY OF CANTON REDUCING THE COMPOSITION OF THE MEMBERS OF CANTON CITY COUNCIL FROM 12 MEMBERS TO 9 WARD MEMBERS FOR THE 2016-2017 TERM AND THEREAFTER (JUD)
- 2<sup>ND</sup> RDG 12. AMEND APPROP O#209/2012; EMERGENCY (\$33,000.00 FROM UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 506001 COMMUNITY DEVELOPMENT ADMIN - PERSONNEL) (FIN)
- 2<sup>ND</sup> RDG 13. AMEND EXHIBIT B TO O#100/2011, AS AMENDED, CLASSIFICATION PLAN AND SALARIES FOR MGMT & NON-BARGAINING UNIT EMPLOYEES OF CITY OF CANTON; AMEND SALARY POLICY AND PROCEDURES FOR AUDITOR'S OFFICE AND LAW DEPT; EMERGENCY (PER)
- 2<sup>ND</sup> RDG 14. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER #4 FINAL WITH INSITUFORM TECH IN AMT NOT TO EXCEED \$30,635.00 FOR WEST SIDE INTECEPTOR SANITARY SEWER REHAB PROJ, GP 1138; AMEND APPROP O#209/2012; EMERGENCY (\$15,623.85 FROM UNAPPROP BAL 5410 SANITARY SEWER FUND TO 5410 206046 SANITARY SEWER FUND - WEST SIDE INTERCEPTOR SANITARY SEWER REHAB PROJ, GP 1138 - OTHER AND \$15,011.15 FROM UNAPPROP BAL 5443 WEST SIDE INTERCEPTOR SANITARY SEWER REHAB PROJ, GP 1138 FUND TO 5443 206046 WEST SIDE INTERCEPTOR SANITARY SEWER REHAB PROJ, GP 1138 - OTHER) (PPCI)

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

- 6/3/13 15. AUTHORIZE SERV DIR TO AMEND EXISTING JACKSON-CANTON JOINT ECONOMIC DEV DISTRICT CONTRACT; EMERGENCY
- 88/2013 16. 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 (TANNY BURT ROADSIDE MEMORIAL PROGRAM)
- 89/2013 17. 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

**POSTPONED UNTIL**

- 7/1/13 18. AUTHORIZE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGMT WITH CPX SOUTH CANTON, 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

**ANNOUNCEMENT OF COMMITTEE MEETINGS:**

**MONDAY, MAY 20, 2013 in Council Caucus Room at 6:00 P.M.**

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 3) Public Property Capital Improvement Committee

**MISCELLANEOUS BUSINESS:** Member Smith re: Introduced Shawna Burt and family who wanted to give thanks to everyone that supported the passage of Ordinance #16; Member West re: Discussed the passage of Ordinance #16. Also addressed Ms. Martin and others concerns with the Struble and 16<sup>th</sup> St NE area. He asked that they get some help over there and that the curfew law get enforced; Member Morris re: Thanked the ladies that came and spoke about crime in the area. Asked Director Price how soon ShotSpotter will be up; Director Price advised that they are having issues with the utility companies allowing them to use their telephone poles. He advised that he will know more by next Monday; Member Smith re: Thanked President Schulman for the moment of silence from Mrs. Brogdan who passed away over the weekend; Member Cirelli re: Asked Director Price if a person is wearing a camera in a public place and a Police Officer asks them to take it off, do they have to; Law Director Martuccio re: Advised that anyone can wear a camera unless it is interfering with something that the police are doing; Director Price re: Advised that if an someone is told by an officer to take the camera off they should comply.

**ADJOURNMENT:** 8:08 PM

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MAY 20, 2013 @ 7:30 PM**