

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

CANTON CITY COUNCIL

JUNE 3, 2013

ROLL CALL: All Council Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: C. David Morgan

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#10 & O#11 & 2nd Rdg O#12 - O#19; O#10 & O#11 Adopted on 1st Rdg; O#18 & O#19 Adopted on 2nd Rdg; O#20 Postponed Indefinitely)

PUBLIC HEARINGS: None

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

PUBLIC SPEAKS (CITY BUSINESS): Kathryn Ramsey re: Thanked everyone from the City to help make the Veterans, Firemen and Policemen Memorial dedication successful. Thanked the City workers that helped with the neighborhood cleanup. Also complained about houses that have been burned and are still standing, stray animals and portable basketball hoops. Asked the status of the street paving; Pete DiGiacomo re: Asked if ShotSpotter was successful; Becky Murphy re: Expressed her dismay with the timing of the test of ShotSpotter. Also said she feels that poverty needs to be alleviated to help fight crime; James Parker re: Discussed ground water testing and said he hopes that the water is tested for roundup; Patricia Kirk re: Stated that the Tree Commission agreed to start slow and do things right. Discussed Kresge space (referring to Market Square) and the people's desire to keep it green. Also asked if the price of the yellow brick apartment house on 5th Street NW could be lowered so a private individual or company can own it. Lastly, asked what happened to the man that ordered his employees to dump chemicals in our waterways.

INFORMAL RESOLUTIONS:

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| 29. | COUNCIL MEMBERS WEST & DOUGHERTY: | REQUESTING AN ANIMAL CONTROL OFFICER. - ADOPTED |
| 30. | COUNCIL-AS-A-WHOLE: | REAUTHORIZING THE CITY'S PARTICIPATION IN OHIO POLICE & FIRE PENSION SYSTEM (OP&F) FOR ELIGIBLE EMPLOYEES OF THE CANTON FIRE DEPT. - ADOPTED |
| 31. | COUNCIL-AS-A-WHOLE: | REAUTHORIZING THE CITY'S PARTICIPATION IN OHIO POLICE & FIRE PENSION SYSTEM (OP&F) FOR ELIGIBLE EMPLOYEES OF THE CANTON POLICE DEPT. - ADOPTED |

COMMUNICATIONS:

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| 223. | HEALTH COMMISSIONER ADAMS: | 2012 ANNUAL RPT FOR HEALTH DEPT. - RECEIVED & FILED |
| 224. | LIQUOR CONTROL DIVISION (OHIO): | REQ D2 D2X D3 D3A D6 LIQ PERMIT TRANSFER FROM TONIA HOOVER DBA R & R TAVERN & PATIO TO MARK & FRANCES MILLS DBA MILLS PLACE & PATIO @ 3357 MAHONING RD NE 1 ST FL. - RECEIVED & FILED |
| 225. | LIQUOR CONTROL DIVISION (OHIO): | REQ D1 D3 D3A NEW LIQ PERMIT TO LEO ARMSTRONG II @ 1775 CLEVELAND AVE SW. - RECEIVED & FILED |
| 226. | LIQUOR CONTROL DIVISION (OHIO): | REQ C1 C2 NEW LIQ PERMIT TO A&E OF CANTON LLC DBA WELCOME FOOD & PIZZA @ 864 MARKET AV S. - RECEIVED & FILED |
| 227. | LIQUOR CONTROL DIVISION (OHIO): | REQ D5 LIQ PERMIT TRANSFER FROM MJB ENTERTAINMENT LLC DBA SHIELD TAVERN TO BAR GUYS LLC 1 ST FL & BSMT @ 1153 MCKINLEY AV SW. - RECEIVED & FILED |
| 228. | LIQUOR CONTROL DIVISION (OHIO): | REQ D2 D2X D3 D3A LIQ PERMIT TRANSFER FROM GLOBALCOR ASSOCIATES LLC DBA BOARDWALK NITE CLUB 1 ST FL & PATIO TO RUBY MANAGEMENT LLC DBA RUBY SALOON 1 ST FL & PATIO @ 2548 WINFIELD WAY NE. - RECEIVED & FILED |
| 229. | MAYOR HEALY: | AUTHORIZE RE-APPT OF DEBORAH ROHRBACH TO FAIR EMPLOYMENT PRACTICES BD FROM 2/28/13 TO 2/27/16. - PERSONNEL COMMITTEE |
| 230. | SAFETY DIRECTOR PRICE: | REQ APPROVAL OF DEMO OF 41 PROPERTIES ON BEHALF OF CANTON BLDG CODE DEPT. - FINANCE COMMITTEE |
| 231. | SERVICE DIRECTOR PRICE: | AUTHORIZE MAYOR &/OR SERV DIR TO NEGOTIATE & ENTER INTO 3 OHIO WATER POLLUTION CONTROL FUND WATER RESOURCE RESTORATION SPONSOR PROG SPONSORSHIP AGREEMENTS. - FINANCE COMMITTEE |

COMMUNICATIONS CONTINUED:

232. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SAF & SERV DIR TO NEGOTIATE & ENTER INTO A CONTRACT W/HALL OF FAME CITY CHALLENGE LLC FOR SVCS TO BE RENDERED BY CITY IN SUPPORT OF HALL OF FAME CHALLENGE. - FINANCE COMMITTEE
233. SERVICE DIRECTOR PRICE: AUTHORIZE PURCHASE OF 1 FORD F-250 PICKUP TRUCK FROM WALT SWEENEY FORD IN AMT NOT TO EXCEED \$22,798.70 FOR WATER DEPT. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
234. SERVICE DIRECTOR PRICE: AMEND TACO BELL ANNEXATION AREA RESOLUTION 58/2013 TO INCREASE THE ACREAGE TO 1.547 ACRES. - ANNEXATION COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND SEC 749.02, PERMIT REQUIRED, OF CODIFIED ORDINANCES OF CITY OF CANTON (ITINERANT VENDORS)
Referred Judiciary Committee
- 1ST RDG 2. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (RICHARD & SHARON MEDLA - 133 HARRISON AVE SW, PARCEL #228696, LOT #9775)
Referred to Judiciary Committee **PUB HRG: 7/1/13 @ 7:30 PM**
- 1ST RDG 3. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (LUBOV INC - 127/129 HARRISON AVE SW, PARCEL #214861, EAST END OF PT LOT #9774)
Referred to Judiciary Committee **PUB HRG: 7/1/13 @ 7:31 PM**
- 1ST RDG 4. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (LRC-A TUSC PROPERTIES LLC - SW CORNER OF DRYDEN AVE SW & GROVE PL SW, PARCEL #222629, PT LOT #9774)
Referred to Judiciary Committee **PUB HRG: 7/1/13 @ 7:32 PM**
- 1ST RDG 5. VACATE PORTIONS OF DRYDEN AVE SW & GROVE PL SW; APPROVE & ACCEPT THE DEDICATION OF PARTS OF LOTS 9747 & 9748 FOR STREET PURPOSES; EMERGENCY (JOHN WOJTLA OF THE ZAREMBA GROUP LLC, AGENT FOR DEARBORN LAND INVESTMENT LLC)
Referred to Public Safety & Thoroughfares Committee **PUB HRG: 7/1/13 @ 7:33 PM**
- 1ST RDG 6. AUTHORIZE MAYOR &/OR SAF DIR TO ENTER INTO AGMT TO PURCHASE SWAT TACTICAL VESTS & HELMETS IN AMT NOT TO EXCEED \$56,900.00 PURSUANT TO ORC SEC 125.04; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 7. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR LEASE OF APPROX 282 SQ FT OF COMMERCIAL SPACE @ 215 W TUSC ST IN ORDER TO PROVIDE A SNACK/BAR CONCESSION STAND; EMERGENCY
Referred to Finance & Public Property Capital Improvement Committee
- 1ST RDG 8. AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO CONSTRUCTION CONTRACT FOR CONSTRUCTION OF FRAZER ESTATES STORM SEWER REPAIR GP 1189; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 9. AUTHORIZE SERV DIR TO ENTER INTO PROF SVCS CONTRACT W/BURGESS & NIPLE FOR ENGINEERING SVCS DURING THE PLANNING, DESIGN & BIDDING PHASES OF WATER METER & METER TRANSMITTING UNIT (MTU) REPLACEMENT PROG IN AMT NOT TO EXCEED \$348,500.00; AUTHORIZE SERV DIR TO APPLY FOR & ENTER INTO CONTRACT W/THE OHIO WATER DEVELOPMENT AUTHORITY FOR A PLANNING LOAN FOR THE PROJ; AUTHORIZE AUDITOR TO ESTABLISH & CREATE THE 5227 WATER METER/MTU REPLACEMENT PROJ FUND; AMEND APPROP O#209/2012; EMERGENCY
Referred to Public Property Capital Improvement Committee

(COUNCIL RECESSED AT 8:05 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #10 AND #11; RECONVENED AT 8:20 P.M.)

- 96/2013 10. AUTHORIZE SERV DIR TO NEGOTIATE & ENTER INTO CONTRACTS W/STARK COUNTY & CITY OF NORTH CANTON FOR OPERATION, MAINTENANCE & REPLACEMENT COST SHARING AGMT FOR WRF; AMEND APPROP O#209/2012; EMERGENCY (\$614,350.24 FROM UNAPPROP BAL 5410 SEWER FUND TO 5410 206044 WRF PHOSPHORUS PROJ)
Referred to Finance Committee
- 97/2013 11. DECLARE 41 BLDGS PUBLIC NUISANCES; AUTHORIZE SAF DIR TO ENTER INTO CONTRACT FOR DEMOLITION OF SAID BLDGS; AUTHORIZE CLERK OF CANTON CITY COUNCIL TO CERTIFY COSTS OF DEMOLITION TO STARK COUNTY AUDITOR; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#12 - O#19; O#18 & O#19 ADOPTED)

- 2ND RDG 12. AMEND EXHIBIT A TO O#40/2000; AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (10PO PROBATIONARY POLICE OFFICERS) (PER & FIN)
- 2ND RDG 13. RESOLUTION TO SUBMIT TO ELECTORS OF CITY OF CANTON INCREASING TERM OF COUNCIL MEMBERS FROM TWO YEARS TO FOUR YEARS EFFECTIVE FOR THE 2016-2019 TERM AND THEREAFTER (JUD)
- 2ND RDG 14. APPROVE AND ACCEPT LOT SPLIT/REPLAT OF LOT NO. 35852; EMERGENCY (415 47TH ST NW, PARCEL #301329, THOMAS & LIESL FORBES AND GERALD & MARCIA CRAMER) (PS&T)
- 2ND RDG 15. AMEND O#209/2012; EMERGENCY (\$5,000.00 FROM UNAPPROP BAL 6017 HEALTH & LIFE INSURANCE FUND TO 6017 501101 HUMAN RESOURCES ADMIN - OTHER) (FIN)
- 2ND RDG 16. AUTHORIZE SERV DIR AND/OR SAF DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR PURCHASE OR LEASE OF VARIOUS VEHICLES AND/OR EQUIP FOR DEPTS OF PUBLIC SAFETY & SERVICE; AUTHORIZE SERV AND/OR SAF DIR TO ENTER INTO VARIOUS CONTRACTS FOR PURCHASE OF VARIOUS VEHICLES AND/OR EQUIP IN ACCORDANCE WITH ORC SECTION 125.04; EMERGENCY (PPCI)
- 2ND RDG 17. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ONE YR CONTRACT WITH SMHA FOR VEHICLE MAINTENANCE AND FUEL SERV; EMERGENCY (FIN)
- 98/2013 18. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR RESURFACING OF TENNIS COURTS AT NIMISILLA PARK; AUTHORIZE CANTON PARK COMM TO GENERAL CONTRACT REMAINING DEVELOPMENTS OF THIS PARK FACILITY; EMERGENCY (PARKS & FIN)
- 99/2013 19. AUTHORIZE MAYOR AND/OR DIRECTOR OF PUBLIC SERV TO ENTER INTO AN AGMT WITH CANTON COMMUNITY IMPROVEMENT CORP (CCIC) TO PROVIDE A GRANT UTILIZING GENERAL FUND DOLLARS IN AMT NOT TO EXCEED \$250,000.00 FOR GRANTS, LOANS & ADMIN COSTS; EMERGENCY (FIN)

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

POSTPONED

- INDEFINITELY** 20. AUTHORIZE SERV DIR TO AMEND EXISTING JACKSON-CANTON JOINT ECONOMIC DEV DISTRICT CONTRACT; EMERGENCY
- 100/2013 21. AUTHORIZE ACCEPTANCE OF LAND TITLE RIGHTS FOR CERTAIN LANDS FKA AS "MOTHER GOOSELAND"; EMERGENCY
- 101/2013 22. AMEND APPROP O#209/2012; EMERGENCY (\$21,600.00 FROM UNAPPROP BAL OF THE 1001 GENERAL FUND TO 1001 102001 POLICE - ADMIN - OTHER)
- 102/2013 23. AMEND APPROP O#209/2012; EMERGENCY (\$33,500.21 FROM UNAPPROP BAL OF THE 6091 MANAGEMENT INFORMATION SERV TO 6091 504010 INFORMATION TECHNOLOGY - OTHER)
- 103/2013 24. AUTHORIZE AUDITOR TO PAY \$2,400.00 TO LONNIE BOWLING'S USED CAR SALES INC; EMERGENCY
- 104/2013 25. 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)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, JUNE 17, 2013 in Council Caucus Room at 6:30 P.M.

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

MISCELLANEOUS BUSINESS: Member Smith re: Asked if the Police received their vests that were voted on earlier in the year. Director Price re: Advised that he issued purchased orders for the cadet's vests and the vests for SWAT are pending in 1st Rdg; Director Price re: Discussed the Police Auxiliary Appreciation Awards dinner that was held Saturday. Also advised that there was a fire at Ridgewood Castle today; Law Director Martuccio re: Advised that the retire/rehire case has been appealed. Also advised that an amendment can be drawn up to have the President of Council added to the Ordinance to change his terms as well from two to four years; Member West re: Advised Mrs. Ramsey that Harrisburg is his #1 pick for the Ward 2 paving priority. He also advised her that getting another Animal Control Officer was addressed in Resolution #29 and is hopeful that the Administration will proceed with hiring another one. Lastly, thanked all of Council for the passage of Ordinance #18; Member Cirelli re: Asked the Mayor who she should deal with to finish the project that she was working on with an employee on the 8th floor that is now no longer with the City; Mayor Healy re: Advised that Member Cirelli should contact Teri Ross; Mayor Healy re: Advised that he is willing to schedule neighborhood walks with any Member of Council so if they are interested to please contact him; Member Fisher re: Thanked the Mayor and Rafael for coming out to walk his neighborhood with him. Also relayed that a child was missing in his area and through the technology of an alert from the Police Department on his phone and Facebook, the neighbors banded together to find the child but later found out that the child was safe.

ADJOURNMENT: 8:47 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JUNE 17, 2013 @ 7:30 PM