

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

AUGUST 12, 2013

ROLL CALL: Ten Council Members Present

MOTION TO EXCUSE MEMBERS: Members Cole & Mack & President Schulman Absent

INVOCATION: Greg Hawk, Ward 1 Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem David Dougherty

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#11 - O#16; R#37 & Comm #331 Withdrawn)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Harold Smith re: Discussed problems with SMHA's fence at Linwood Acres; Pete DiGiacomo re: Expressed his dismay with the dispatch center and commended Officer Swank for going above and beyond; Patricia Kirk re: Feels that Walnut and 6th Street NE is a traffic hazard. Announced the next Tree Commission Mtg will be held on August 20th at the Garden Center from 6:00 to 8:00; Bret Moore re: Discussed hearing gunshots on the parade route in front of Schreiber School the night before the parade; Morgan Benson, Kelsey McElroy and Terrance Jones re: Explained what their group, MDS did over the summer and thanked the City, especially the Mayor, Members Hawk, West and Smith for approving and accepting the project; Brenda Kimbrough re: Commended MDS. Also expressed her opinion that the intersection of 6th Street and Walnut is dangerous; Henry Preston re: Shared statistics that he found regarding crime in Canton compared to other Cities.

INFORMAL RESOLUTIONS:

37. CNCL AT LG MBRS BABCOCK & COLE & WARD
CNCL MBRS HAWK, WEST, GRIFFIN,
DOUGHERTY, MARIOL & MORRIS:

REQ COUNTY AUDITOR TO CERTIFY TO CITY OF CANTON THE TOTAL CURRENT TAX VALUATION OF THE CITY & INCLUDE THE CALCULATION OF THE AVERAGE ANNUAL TAX RATE, EXPRESSED IN DOLLARS & CENTS FOR EACH ONE HUNDRED DOLLARS OF VALUATION AS WELL AS IN MILLS FOR EACH ONE DOLLAR OF TAX VALUATION & THE DOLLAR AMT OF REVENUE THAT WOULD BE GENERATED BY 3 MILLS. - WITHDRAWN

43. PERSONNEL COMMITTEE:

REQ RE-APPT OF ERMA SMITH TO INCOME TAX REVIEW BD FROM 3/1/13 - 2/28/17. - ADOPTED

44. COUNCIL MEMBER MORRIS, WARD 9:

EXPRESSING INTENT TO REALLOCATE IDENTIFIED GENERAL FUND NET SAVINGS OWING TO THE SUCCESSFUL PASSAGE OF THE NOV 2013 PARK LEVY TO & FOR THE USE OF THE POLICE & FIRE SAFETY FORCES OF THE CITY TO THE FULLEST EXTENT IT MAY FISCALLY & LEGALLY DO. - ADOPTED

COMMUNICATIONS:

318. AUDITOR MALLONN:

REQ ADDT'L AMENDED 7/31/13 CERTIFICATE. - RECEIVED & FILED

319. AUDITOR MALLONN:

MNTHLY RPT BY FUND FOR 7/1/13 - 7/31/13. - RECEIVED & FILED

320. AUDITOR MALLONN:

YRLY RPT BY FUND FOR 1/1/13 - 7/31/13. - RECEIVED & FILED

321. COURT ADMINISTRATOR KOCHERA:

AUTHORIZE SERV DIR TO PUBLISH & REC BIDS FOR CANTON MUNI COURT AUDIO/VISUAL REHAB PROJ. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

322. COURT ADMINISTRATOR KOCHERA:

REQ \$8,574.00 APPROP TRANSFER FROM PERSONNEL SVCS #2767-701001 COMMUNITY SANCTIONS GRANT FUND TO OTHER #2767-701001 COMMUNITY SANCTIONS GRANT FUND FOR THE CONTINUED PROPER OPERATION OF THE COURT. - FINANCE COMMITTEE

323. DEVELOPMENT DIRECTOR WILLIAMS:

REQ TO AMEND O#115/2013 BY ACCEPTING & APPROVING PROPOSED EXHIBIT A TO CORRECT SOME PROPERTY OWNERSHIPS SHOWN ON ORIGINAL EXHIBIT A OF O#115/2013 (VACATION OF PORTION OF DRYDEN AVE SW & GROVE PL SW & DEDICATION OF PORTION OF W TUSC - CVS PHARMACY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

324. LAW DIRECTOR MARTUCCIO:

REQ TO WITHDRAW INFORMAL RE#37. - RECEIVED & FILED

325. LAW DIRECTOR MARTUCCIO:

REQ THAT STARK COUNTY BD OF ELECTIONS WITHDRAW RE#21/2013 AS IT WAS AMENDED BY PASSAGE OF RE#132/2013. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

326. LAW DIRECTOR MARTUCCIO: REQ TO AMEND EXISTING I-77 CEDA BETWEEN THE CITY & CANTON TWP TO PERMIT 2 BUSINESSES TO TRADE LAND. - ANNEXATION COMMITTEE
327. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D1 D3 D3A LIQ PERMIT FOR 3773 CLEVELAND INC DBA EURO GYRO @ 3717 CLEVELAND AVE NW. - RECEIVED & FILED
328. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D5 LIQ PERMIT FOR GRAPES IN A GLASS LLC @ 575 MARKET AV N 1ST FLR ONLY. - RECEIVED & FILED
329. MAYOR HEALY: ADVISING OF APPT OF JOYCE SUMLIN TO MAYOR'S COMMUNITY RELATIONS COMMISSION FROM 8/1/13 - 7/31/15. - RECEIVED & FILED
330. SAFETY DIRECTOR PRICE: REQ C#310 FROM 7/29/13 AGENDA BE WITHDRAWN. - RECEIVED & FILED
331. SAFETY DIRECTOR PRICE: REQ AN EXCEPTION TO O#94/2013 FOR A 3% PAY INCREASE FOR ANGELA CAVANAUGH, CBO. - WITHDRAWN
332. SERVICE DIRECTOR BARTOS: REQ TO ENTER INTO A 1-YR SUPPORT W/DLT SOLUTIONS INC IN AMT OF \$40,270.00 FOR ONGOING SUPPORT & MAINTENANCE OF CITY'S ORACLE SOFTWARE LICENSES. - FINANCE COMMITTEE
333. SERVICE DIRECTOR BARTOS: AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY SERV DIR IN AMT NOT TO EXCEED \$60,393.85 TO CENTRAL ALLIED ENTERPRISES FOR REPAIR OF PAVEMENT & REINSTALLING BRICK & CONCRETE WORK AFTER BROKEN WATER MAIN @ MCKINLEY AVE & W TUSC ST. - FINANCE COMMITTEE
334. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONTRACT FOR USE OF FUEL CARDS FOR FUELING ALL CITY VEHICLES. - FINANCE COMMITTEE
335. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR HARRISBURG RD RESURFACING PROJ GP 1139; AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO COOP AGMT FOR CONSTRUCTION & FINANCING OF PROJ; AUTHORIZE CITY TO REC GRANT FUNDS FOR THIS PROJ FROM OPWC; AUTHORIZE CITY TO REC GRANT FUNDS FOR THIS PROJ FROM COUNTY; AUTHORIZE AUDITOR TO ESTABLISH & CREATE 4571 FUND (HARRISBURG RD RESURFACING PROJ GP 1139) FOR PURPOSE OF TRACKING PROJ REVENUES & EXPENDITURES; MAKE \$150,000.00 SUPP APPRO FROM UNAPPROP BAL OF 4571 TO 4571-202098 (HARRISBURG RD RESURFACING PROJ GP 1139 FUND & ORGANIZATION); MAKE \$101,359.59 SUPP APPROP FROM UNAPPROP BAL OF THE 2113 (MUNICIPAL RD FUND) TO: 2113-202001 (MUNICIPAL ROAD FUND - ENGINEERING ADMIN); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVE BY PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
336. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE CONSTRUCTION CONTRACT FOR 55TH ST NE STORM SEWER PROJ GP 1125; AUTHORIZE CITY TO REC GRANT/LOAN FUNDS FOR PROJ FROM OPWC; AUTHORIZE CITY TO REC GRANT FUNDS FOR PROJ FROM COUNTY; AUTHORIZE AUDITOR TO ESTABLISH & CREATE 4565 FUND (55TH ST NE STORM SEWER PROJ GP 1125 FOR PURPOSE OF TRACKING PROJ REVENUES & EXPENDITURE; MAKE \$895,000.00 SUPP APPRO FROM UNAPPROP BAL OF 4565 (55TH ST NE STORM SEWER PROJ GP 1125 FUND); 4565-202087 (55TH ST NE STORM SEWER PROJ PG 1125 FUND & ORGANIZATION); MAKE \$160,000.00 OF SUPP APPROP FROM UNAPPROP

COMMUNICATIONS CONTINUED:

336. (CONTINUED) FROM UNAPPROP BAL OF 4501 (CAPITAL PROJECTS FUND) TO 4501-202087 (CAPITAL PROJECTS FUND - 55TH ST NE STORM SEWER PROJ GP 1125); MAKE \$30,000.00 APPROP TRANSFER FROM 4501-504010 (CAPITAL PROJECTS FUND - INFORMATION TECH) TO 4501-202087 (CAPITAL PROJECTS FUND - 55TH ST NE STORM SEWER PROJ GP 1125); MAKE \$110,000.00 APPROP TRANSFER FROM 4501-202210 (CAPITAL PROJ FUND - STREET MAINTENANCE) TO 4501-202087 (CAPITAL PROJ FUND - 55TH ST NE STORM SEWER PROJ GP 1125); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
337. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO PURCHASE AGMT FOR PARCEL #304459 W/NORMAN & BARBARA LORD IN AMT OF \$21,000.00 & TAKE OWNERSHIP OF SAID PARCEL; AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO COOP AGMTS W/GERVASI VINEYARDS &/OR OTHER PROJ STAKEHOLDERS FOR DEVMNT & MAINTENANCE OF 55TH ST TRAILHEAD; AUTHORIZE ENGINEERING & PARKS DEPT TO GENERAL CONTRACT AS NEEDED FOR DEVMNT OF TRAILHEAD THRU USE OF CITY FORCES &/OR LOCAL CONTRACTORS & SUPPLIERS; MAKE \$5,547.35 SUPP APPROP FROM UNAPPROP BAL OF 2181 (GERVASI 1700 LLC TIF FUND) TO 2181-202001 (GERVASI 1700 LLC TIF FUND - ENG ADMIN ORGANIZATION); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
338. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 7/31/13. - RECEIVED & FILED
339. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS FOR JULY 2013 IN AMBULANCE LOCK BOX. - RECEIVED & FILED
340. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 7/31/13. - RECEIVED & FILED
341. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR JULY 2013. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. RENAMING A PORTION OF SEICH COURT SW IN THE CITY, RALPH BYRD COURT SW (BETWEEN 15TH ST SW & 16TH ST SW
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 2. AUTHORIZE AUDITOR TO PAY \$385.27 TO AIRGAS USA LLC; EMERGENCY
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZE SAF DIR TO ENTER INTO CONTRACT W/MORNING PRIDE MANUFACTURING INC IN AMT NOT TO EXCEED \$35,000.00 FOR PURCHASE OF TURNOUT GEAR PURSUANT TO ORC 125.04; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 4. AUTHORIZE SAF DIR TO ACCEPT A REIMBURSEMENT GRANT FROM THE OHIO DEPT OF PUB SAF IN AMT NOT TO EXCEED \$2,500.00; AMEND APPROP O#209/2012; EMERGENCY (FROM UNAPPROP BAL OF 2812 FIRE DEPT EMS GRANT FUND TO 2812 103001 FIRE DEPT EMS GRANT - OTHER)
Referred to Finance Committee
- 1ST RDG 5. AMEND APPROP O#209/2012; EMERGENCY (\$200,000.00 FROM UNAPPROP BAL OF 2760 FEDERAL FORFEITURE FUND TO 2760 102001 FEDERAL FORFEITURE - OTHER)
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZE MAYOR AND/OR SERV DIR TO NEGOTIATE & ENTER INTO AGMT W/FIRST TEE OF CANTON FOR LEASE OF CITY-OWNED PROP; EMERGENCY (DIANO PROPERTY)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 7. AMEND EXHIBIT A TO O#100/2011, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR MGMT & NON-BARG UNIT EMPLOYEES; EMERGENCY (REORGANIZING PURCHASING DEPT)
Referred to Personnel Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 8. AUTHORIZE MAYOR &/OR SERV TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR THE TRINITY PL & CAPRICE AVE NW SANITARY MANHOLE REHABILITATION PROJ GP 1174; AMEND APPROP O#209/2012; EMERGENCY (\$130,000.00 FROM UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206313 SANITARY SEWER - TRINITY PL & CAPRICE AVE NW SANITARY MANHOLE REHAB GP 1174 - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 9. AUTHORIZE MAYOR &/OR SERV DIR TO APPLY FOR, ENTER INTO AGMT FOR & REC OHIO PUB WORKS COMMISSION FUNDS FOR 2014 PROG YR FOR VARIOUS CITY PROJECTS; EMERGENCY
Referred to Finance Committee
- 1ST RDG 10. AMEND EXHIBIT A OF O#120/2013; EMERGENCY (12TH ST N CORRIDOR PROJ GP 1098 PID 85299 RIGHT-OF-WAY ACQUISITION AUTHORIZATIONS)
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#11 - O#16)**

- 2ND RDG 11. AMEND APPROP O#209/2012, AS AMENDED, BY MAKING APPROP TRANSFER; EMERGENCY (\$10,762.02 FROM 2313 301001 - OTHER TO 2313 301001- PERSONNEL) (FIN)
- 2ND RDG 12. AUTHORIZE HEALTH COMMISSIONER TO ENTER INTO PROF SVCS CONTRACT IN AMT OF \$20,000.00 W/NATIONAL ORGANIZATION OF URBAN MATERNAL & CHILD HEALTH LEADERS FOR PURPOSES OF PROVIDING TRAINING, FACILITATION & TECHNICAL ASSISTANCE FOR STARK COUNTY EQUITY INSTITUTE FOR INFANT MORTALITY; EMERGENCY (FIN)
- 2ND RDG 13. AMEND APPROP O#209/2012; EMERGENCY (\$81.32 FROM UNAPPROP BAL OF 2785 2010 BYRNE MEMORIAL GRANT FUND TO 2785 BYRNE MEMORIAL GRANT - OTHER) (FIN)
- 2ND RDG 14. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AGMT W/THE WHEELING & LAKE ERIE RAILWAY &/OR THE RAIL DEVELOPMENT CORP TO UPGRADE CERTAIN RAILROAD CROSSINGS IN CANTON; AUTHORIZE MAYOR &/OR SERV DIR TO REC GRANTS & UTILIZE FUNDING MADE AVAILABLE FOR THE PROJ THROUGH AGMTS W/WHEELING & LAKE ERIE RAILWAY &/OR THE ORDC; AUTHORIZE THE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT & TO ADVERTISE, REC BIDS, AWARD & EXECUTE A MATERIALS PURCHASE CONTRACT OR TO PURCHASE SAID MATERIALS VIA THE STATE COOP PURCHASING AGMT; AUTHORIZE AUDITOR TO ESTABLISH & CREATE THE 4570 RAILROAD CROSSING/TRAFFIC SIGNAL UPGRADE PROJ GP 1149 FUND; AMEND APPROP O#209/2012; EMERGENCY (\$200,000.00 FROM UNAPPROP BAL OF THE 4570 RAILROAD CROSSING/TRAFFIC SIGNAL UPGRADE PROJ GP 1149 FUND TO 4570 202097 RAILROAD CROSSING/TRAFFIC SIGNAL UPGRADE PROJECT GP 1149 - OTHER) (PPCI)
- 2ND RDG 15. AMEND APPROP O#209/2012; EMERGENCY (\$3,736.84 FROM UNAPPROP BAL OF THE 4501 CAPITAL FUND TO 4501 202032 HARMONT AVE SANITARY SEWER EXTENSION PROJ - OTHER) (PPCI)
- 2ND RDG 16. AUTHORIZE CITY AUDITOR TO PAY \$6,000.00 TO HAYMAKER TREE AND LAWN; EMERGENCY (FIN)

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

- 138/2013 17. AMEND SEC 749.02, PERMIT REQUIRED, OF CODIFIED ORDINANCES OF CITY OF CANTON (ITINERANT RETAILERS)
- 139/2013 18. ESTABLISH FAIR MARKET VALUE OF ONE PARCEL CITY-OWNED PROP; AUTHORIZE SALE & CONVEYANCE OF SAID PROP PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (TOMMIE L. BREWER, PARCEL #02-22450, LOT #310 ON 911 3RD ST NE)
- 140/2013 19. ESTABLISH FAIR MARKET VALUE OF ONE PARCEL CITY-OWNED PROP; AUTHORIZE SALE & CONVEYANCE OF SAID PROP PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (JOYCE ANN POST, PARCEL #02-33013, PART OF LOT #962 ON 710 5TH ST SW)
- 141/2013 20. AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT OF REHABILITATION & CORRECTION FOR RECEIPT OF FY 2014 COMMUNITY CORRECTIONS ACT GRANT IN AMT NOT TO EXCEED \$170,601.00; EMERGENCY
- 142/2013 21. AMEND APPROP O#209/2012; EMERGENCY (\$12.86 FROM UNAPPROP BAL 2774 BYRNE MEMORIAL JUSTICE ASST GRANT 09 FUND TO 2774 102009 POLICE - 2009 STIMULUS - OTHER)
- 143/2013 22. ADOPT CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR FISCAL YEAR ENDING DECEMBER 31, 2014; EMERGENCY
- 144/2013 23. AUTHORIZE CITY AUDITOR TO PAY \$2,400.00 TO SOUTH CITY HEATING AND COOLING; EMERGENCY
- 145/2013 24. AMEND APPROP O#209/2012; EMERGENCY (\$31,268.05 FROM UNAPPROP BAL 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 MOTOR VEHICLE PURCHASE - OTHER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, AUGUST 19, 2013 in Council Caucus Room at 6:30 P.M.**

Town Hall Meeting regarding Charter Government

MONDAY, AUGUST 26, 2013 in Council Caucus Room at 6:15 P.M.

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

MISCELLANEOUS BUSINESS: Safety Director Price re: Addressed Bret Moore's concern with gunshots and said he would look into it. Also thanked all the safety forces for a job well done with the Hall of Fame events; Member West re: Commended all the City workers for a great job with the Hall of Fame events. Also introduced his newest neighborhood group AIMS. Announced that there will be a meeting on August 19th at 6:30 in the Council Chamber to discuss Charter Government. Lastly, announced that he and Member Smith will be having a Town Hall meeting on August 24th at 12:00 at the SE Community Center; Members Morris, Cirelli, Hawk and Mariol re: Questioned the Mayor about the staffing in the Fire Department and the lack of firefighters; Mayor Healy re: Answered questions about the staffing in the Fire Department and advised that if anyone would like more information that they should make an appointment with him; Member West re: Advised that the problems at Walnut and 6th St NE have been turned into the Engineer's Department for them to look into; Service Director Bartos re: Advised that there is a phony email going around that says contactus@cantonohio.gov for money, this is not legitimate.

ADJOURNMENT: 8:29 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 26, 2013 @ 7:30 PM