

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

CANTON CITY COUNCIL

AUGUST 26, 2013

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Thomas West, Ward 2 Council Member

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1ST Rdg O#10; 2nd Rdg O#11 - O#20; O#10 Adopted on 1st Rdg; O#20 Adopted on 2nd Rdg as Amended)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Pat Kirk would like to see the word permit substituted for the word license throughout the Tree Commission Ordinance. She does not feel that the city should be issuing a license because the companies should be previously licensed before trying to get on the contractor listing. Pete DiGiacomo has heard that there are some people that are being monitored or helped to prepare for the Civil Service test and will receive an additional 20 points for this monitoring program. He thanked Members Smith and West for an excellent Town Hall meeting on Saturday. There were a few men in attendance that were trying to speak to the younger men there about their life experience and trying to steer them away from being in a gang and to stop the shooting. If the city can help these men to help the younger men please do it. Mr. DiGiacomo also stated that someone has made a mistake when redoing Walnut Avenue and it is against the law to ride a bicycle into oncoming traffic. Bruce Nordman wants to thank all Members for passing the Resolution that if the Park levy passes, any additional money generated would go to the safety forces. On 9/9/13 Group 175 will announce the plan and mission they have to bring up the staff levels of Police and Fire. Bruce Brewer is speaking tonight as part of the Vassar Park Neighborhood Association. He is aware that the city is having meetings with the owner of Ridgewood Castle and feels that he and members of the Neighborhood Association should be in attendance at these meetings so that they are a part of the issues that are discussed and the time frame that the owner has to complete any changes. John Contrucci has a rental property by him with trees that are almost on to the roof of his house. He considered calling the owner but doesn't want to have a verbal battle and not accomplish anything. He just was unsure of who to contact or if he needed a lawyer. Phyllis Bond thanked Member West for coming to her neighborhood in the area of 16th and Struble NE but unfortunately the problems still continue. There is one house that is creating problems for the entire block. On Sunday night, there was another shooting and both cars and houses were hit. There are under age kids with guns that are drinking, screaming, swearing and parking all over the place. When the police are called, they cannot even get down the road with the vehicles from this house blocking everything off. She would like to start some type of organization to provide suggestions on how they can stop one house from causing so many difficulties for the local residents. Henry Preston thanked Members West and Smith on an outstanding Town Hall meeting on Saturday. He stated that during the last Council Meeting while Majority Leader Dougherty was the acting President, his behavior was unacceptable..

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

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| 342. | COMMUNITY DEV DIRECTOR MILLER: | ESTABLISH FAIR REUSE VALUE OF PARCEL OF REAL PROP & AUTHORIZE DISPOSITION OF SAID PROP (JESSE JONES, PARCEL #02-08850, PT LOT #6346 LOCATED ON 4 TH ST SE). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE |
| 343. | COMMUNITY DEV DIRECTOR WILLIAMS: | AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT WITH CASE FARMS PROCESSING, INC AND CASE FARMS, LLC TO CONTINUE AND EXTEND THE PRIOR JOBS CREATION AGMT WITH PARK FARMS ENTERED INTO 8/20/08. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE |
| 344. | HEALTH COMMISSIONER ADAMS: | REQ \$80,000.00 SUPP APPROP FROM UNAPPROP BAL 2328 PHEP TO 2328 PHEP GRANT FUND. - FINANCE COMMITTEE |
| 345. | SAFETY DIRECTOR PRICE: | AMEND O#177/2006 TO TRANSFER FUND ADMIN FOR IMPOUND CASH DRAWER FROM SUPERINTENDANT OF WATER TO CHIEF OF POLICE. - JUDICIARY COMMITTEE |
| 346. | SERVICE DIRECTOR BARTOS: | AUTHORIZE THE MAYOR AND/OR SERV DIR TO NEGOTIATE & ENTER INTO PROF SERV CONTRACT WITH BRICKER & ECKLER, LLP, FOR LEGAL SERV OF CONTRACT REVIEW IN AMT NOT TO EXCEED \$29,800.00 AND AUTHORIZE AUDITOR TO DRAW WARRANTS UP RECEIPT OF VOUCHERS. - FINANCE COMMITTEE |
| 347. | SERVICE DIRECTOR BARTOS: | SUBMIT LIST OF DELINQUENT WATER & SEWER CHARGES TO BE FILED WITH STARK COUNTY AUDITOR FOR PROP TAX ASSESSMENT. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE |

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

1ST RDG 1. _____ AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS FOR CANTON MUNICIPAL COURT AUDIO/VISUAL REHABILITATION PROJ; EMERGENCY
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 2. AMEND APPROP O#209/2012; EMERGENCY (\$8,574.00 FROM 2767 701001 COMM SANCTIONS GRANT - PERSONNEL SERV TO 2767 701001 COMM SANCTIONS GRANT - OTHER)
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZE MAYOR AND/OR SERV DIR TO AMEND EXISTING CITY OF CANTON/CANTON TOWNSHIP I-77 CEDA AGMT; EMERGENCY
Referred to Annexation Committee
- 1ST RDG 4. AUTHORIZE SERV DIR TO ENTER INTO A ONE-YR SUPPORT CONTRACT WITH DLT SOLUTIONS IN AN AMT NOT TO EXCEED \$40,270.00 FOR ONGOING SUPP & MAINTENANCE OF CITY'S ORACLE SOFTWARE LICENSES PURSUANT TO O.R.C. SECTION 125.04; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. AUTHORIZE CITY AUDITOR TO PAY \$60,393.85 TO CENTRAL ALLIED ENTERPRISES; AMEND APPROP O#209/2012, AS AMENDED, BY MAKING THE SUPP APPROP HEREIN DESCRIBED; EMERGENCY (FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207022 - OTHER)
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZE THE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONTRACT FOR USE OF FUEL CARDS FOR FUELING ALL CITY VEHICLES; EMERGENCY
Referred to Finance Committee
- 1ST RDG 7. AUTHORIZE MAYOR AND/OR SERV TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR THE HARRISBURG RD RESURFACING PROJ, GP 1139; ENTER INTO COOP AGMT WITH BOARD OF STARK COUNTY COMMISSIONERS TO REIMBURSE CANTON FOR A PORTION OF THE WORK AND REC GRANT FUNDS; REC OHIO PUBLIC WORKS COMMISSION GRANT FUNDS IN AMT OF \$150,000.00; AUTHORIZE AUDITOR TO ESTABLISH THE 4571 PROJ FUND; AMEND APPROP O#209/2012; EMERGENCY (\$150,000.00 FROM UNAPPROP BAL 4571 HARRISBURG RD RESURFACING PROJ, GP 1139 FUND TO 4571 202098 HARRISBURG RD RESURFACING PROJ, GP 1139 - OTHER & \$101,359.59 FROM UNAPPROP BAL 2113 MUNICIPAL RD FUND TO 2113 202001 MUNICIPAL RD FUND - ENGINEERING ADMIN - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 8. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR THE 55TH ST NE STORM SEWER & RDWAY IMPROVEMENT PROJ, GP 1125; REC OHIO PUBLIC WORKS COMMISSION GRANT/LOAN FUNDS FOR PROJ; REC GRANT FUNDS FROM BOARD OF STARK COUNTY COMMISSIONERS; AUTHORIZE AUDITOR TO ESTABLISH 4565 PROJ FUND; AMEND APPROP O#209/2012; EMERGENCY (SUPP APPROPS OF \$895,000.00 FROM UNAPPROP BAL 4565 55TH ST NE STORM SEWER PROJ FUND GP 1125 TO 4565 202087 55TH ST NE STORM SEWER PROJ; GP 1125 - OTHER & \$160,000.00 FROM UNAPPROP BAL 4501 CAPITAL PROJ FUND TO 4501 202087 CAPITAL PROJ FUND - 55TH ST NE STORM SEWER PROJ, GP 1125 - OTHER; APPROP TRANSFERS OF \$30,000.00 FROM 4501 504010 CAP PROJ FUND - INFO TECH - OTHER TO 4501 202087 CAP PROJ FUND - 55TH ST NE STORM SEWER PROJ, GP 1125 - OTHER & \$110,000.00 FROM 4501 202210 CAP PROJ FUND - STREET MAINT - OTHER TO 4501 202087 CAP PROJ FUND - 55TH ST NE STORM SEWER PROJ, GP 1125 - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 9. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PURCH AGMT IN AMT NOT TO EXCEED \$21,000.00 WITH NORMAN & BARBARA LORD FOR PURCH OF PARCEL #304459 & ENTER INTO COOP AGMT WITH GERVASI VINEYARDS AND/OR OTHER PROJ STAKEHOLDERS FOR DEVELOPMENT & MAINTENANCE OF TRAILHEAD; AUTHORIZE ENGINEERING & PARKS DEPTS TO GENERAL CONTRACT AS NEEDED TO DEVELOP TRAILHEAD THROUGH USE OF CITY FORCES AND/OR LOCAL CONTRACTORS & SUPPLIERS; AMEND APPROP O#209/2012; EMERGENCY (\$5,547.35 FROM UNAPPROP BAL 2181 GERVASI 1700 LLC TIF FUND TO 2181 202001 GERVASI 1700 LLC TIF - ENGINEERING ADMIN - OTHER)
Referred to Public Property Capital Improvement Committee

(COUNCIL RECESSED AT 8:03 P.M. FOR THE PUBLIC SAFETY & THOROUGHFARES COMMITTEE TO DISCUSS ORDINANCE #10; RECONVENED AT 8:06 P.M.)

- 146/2013 10. AMEND O#115/2013 BY ACCEPTING & APPROVING PROPOSED AND AMENDED EXHIBIT A; EMERGENCY (VACATION OF DRYDEN AVE SW & PART OF GROVE PL SW)
Referred to Public Safety and Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#11 - O#20; O#20 ADOPTED AS AMENDED)

- 2ND RDG 11. RENAMING A PORTION OF SEICH COURT SW IN THE CITY, RALPH BYRD COURT SW (BETWEEN 15TH ST SW & 16TH ST SW) (PS&T)
- 2ND RDG 12. AUTHORIZE AUDITOR TO PAY \$385.27 TO AIRGAS USA LLC; EMERGENCY (FIN)
- 2ND RDG 13. 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 (PPCI)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 14. 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) (FIN)
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- 2ND RDG 15. AMEND APPROP O#209/2012; EMERGENCY (\$200,000.00 FROM UNAPPROP BAL OF 2760 FEDERAL FORFEITURE FUND TO 2760 102001 FEDERAL FORFEITURE - OTHER) (FIN)
- 2ND RDG 16. 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) (PPCI)
- 2ND RDG 17. AMEND EXHIBIT A TO O#100/2011, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR MGMT & NON-BARG UNIT EMPLOYEES; EMERGENCY (REORGANIZING PURCHASING DEPT) (PER)
- 2ND RDG 18. 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) (PPCI)
- 2ND RDG 19. 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 (FIN)

AS AMENDED

- 147/2013 20. AMEND EXHIBIT A OF O#120/2013; EMERGENCY (12TH ST N CORRIDOR PROJ GP 1098 PID 85299 RIGHT-OF-WAY ACQUISITION AUTHORIZATIONS) (PPCI)

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

- 148/2013 21. AMEND APPROP O#209/2012, AS AMENDED, BY MAKING APPROP TRANSFER; EMERGENCY (\$10,762.02 FROM 2313 301001 - OTHER TO 2313 301001- PERSONNEL)
- 149/2013 22. 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

AS AMENDED

- 150/2013 23. AMEND APPROP O#209/2012; EMERGENCY (\$81.32 FROM UNAPPROP BAL OF 2785 2010 BYRNE MEMORIAL GRANT FUND TO 2785 BYRNE MEMORIAL GRANT - OTHER)
- 151/2013 24. 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)
- 152/2013 25. 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)
- 153/2013 26. AUTHORIZE CITY AUDITOR TO PAY \$6,000.00 TO HAYMAKER TREE AND LAWN; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, SEPTEMBER 9, 2013 in Council Caucus Room at 6:15 P.M.**

- 1) Finance Committee
- 2) Public Property Capital Improvement Committee
- 3) Rules Committee
- 4) Annexation Committee

MISCELLANEOUS BUSINESS: Member Cirelli asked Director Bartos about the bicycle lanes on Walnut Avenue and if they were legal. There are also parking spaces that are painted for angled parking and the cars continue to park parallel. This will be a huge problem for the road crews when they have to plow. Service Director Bartos will defer to the Law Director. He will also be happy to have the Engineer come and talk to the Committee about these decisions. Law Director Martuccio will look at the O.R.C. and see just how this is written. Member West thanked all of the people who attended both the Charter and the Ward Town Hall meetings over the last week. The Charter meeting did provide some education like he was hoping for. By having some departments of the administration on hand at the Town Hall meeting, he feels that many questions were answered for the citizens. This meeting also had some real positive impacts for some of the programs that are being offered by the city for home improvement and other agencies such as the Community Building Partnership. Member Smith thanked several businesses and agencies for providing both information and door prizes at the Ward Town Hall meeting. Member Dougherty

