

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

SEPTEMBER 23, 2013

ROLL CALL: All Council Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Kevin Fisher, Ward 5 Council Member

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#7; 2nd Rdg O#10 - O#16; O#7 Adopted on 1st Rdg; O#15 and O#16 Adopted on 2nd Rdg; O#22 Adopted as Amended)

PUBLIC HEARINGS: None

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

PUBLIC SPEAKS (CITY BUSINESS): James Parker spoke about an article in the Canton Repository about Infant Mortality and any connection to abortion. There are studies in many medical journals that there is a pattern between abortion and mortality. Vicki Boatright feels that the chemical spill last week was managed very well by the city's first responders which averted any serious disaster. She congratulated and thanked all Members of Council for participating and helping during this event. She also thanked Member Morris for saving 2 cats and the issue of how to handle animals in an evacuation is something that the city needs to look at and make plans for. Becky Murphy gave compliments to the response of all during the chemical spill last week. She would like to know why there are hazmat materials sitting in abandon buildings for over 2 years and how many more buildings are like this in the city. She would like the city to make it a priority to inspect these vacant businesses before there is a serious disaster. John Laughlin has questions about the demolition of Washington School. Is this going to come down with the matching funds the city has received from the state? He asks why the city would use these monies on a building that belongs to Canton City Schools when the same amount could be used for 40 or 50 more homes. Vera Rippert has a business across the street from the Canton Friendship Center and she has experienced problems with the patrons from there. She did have her windows smashed by a man that was upset with his caseworker. She feels it is a scary situation and a major nuisance to the neighborhood. She would like to see the Friendship Center moved.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

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| 367. | APPLICANT, ROBERT TABOR: | REQ FOR ZONE CHANGE @ 1809 22 ND ST NE FROM R-2 (TWO-FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS). - PLANNING COMMISSION |
| 368. | AUDITOR MALLONN: | REQ AUDITOR TO ENTER INTO A 3 YR PROF SERV AGMT WITH JULIAN & GRUBE, INC IN THE AMT OF \$24,900.00 ANNUALLY FOR 2013, 2014 & 2015 TO PROVIDE ASSISTANCE IN GOVERNMENTAL FINANCIAL REPORTING. - FINANCE COMMITTEE |
| 369. | FINANCE DIRECTOR DIRUZZA: | AMEND O#209/2012 (\$180,000.00 FROM UNAPPROP BAL 6041 MOTOR VEHICLES DEPT, DMV TO 6041 208010 SERVICE AND REPAIR - OTHER). - FINANCE COMMITTEE |
| 370. | MAYOR HEALY: | ADVISING OF APPT OF FONDA WILLIAMS TO CCIC CORP. - RECEIVED & FILED |
| 371. | PLANNING COMMISSION: | RECOMMEND APPROVAL OF HOF ANNEXATION, 5.776 ACRES AT SOUTHWEST QTR. SECTION 32, PLAIN TOWNSHIP INTO WARD 7; ZONED AS CS (COMMUNITY SERVICE). - ANNEXATION COMMITTEE |
| 372. | PLANNING COMMISSION: | RECOMMEND APPROVAL OF REPLAT OF OUTLOT 1150, 2600 BLOCK OF MARET ST NE FOR CRESCENDO COMMERCIAL REALTY, LLC. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE |
| 373. | SAFETY DIRECTOR PERRY: | REQ TO AMEND O#145/2013, SEC 1 TO MAKE A \$31,268.05 SUPP APPROP FROM UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASE FUND TO 4502-102000 POLICE OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE |
| 374. | SAFETY DIRECTOR PERRY: | REQ SAF DIR TO ACCEPT GRANT FUNDS IN AMT OF \$31,988.28 FOR THE TRAFFIC ENFORCEMENT PROG FOR FISCAL YR 2014. - FINANCE COMMITTEE |
| 375. | SERVICE DIRECTOR BARTOS: | AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$8,067.84 TO KIMBLE CLAY & LIMESTONE FOR WASTE DISPOSAL. - FINANCE COMMITTEE |
| 376. | SERVICE DIRECTOR BARTOS: | AMEND EXHIBIT A OF O#120/2013 FOR 12 TH ST N CORRIDOR PROJ, GP 1098, PID 85299 FOR ADDITIONAL PROP APPRAISALS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE |

COMMUNICATIONS CONTINUED:

377. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO AMEND THE ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT (EECBG) AGMT W/FEDERAL GOVT TO EXTEND GRANT PERIOD & ACCOUNT FOR AEP FUNDS; AUTHORIZE MAYOR AND/OR SERV DIR TO TAKE RECEIPT OF AEP ENERGY EFFICIENCY GRIDSMART GRANT FUNDS; A \$19,480.73 SUPP APPROP FROM UNAPPROP BAL 2236 EECBG FUND TO 2236 202030 CANTON SUSTAINABILITY PROJ, GP 1134 OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
378. MAYOR HEALY: AUTHORIZE MAYOR TO ENTER INTO A JOINT ECONOMIC DEV DISTRICT (JEDD) AGMT IN SPECIFIC AREAS IN PARTNERSHIP WITH JACKSON TOWNSHIP, CITY OF NORTH CANTON AND PLAIN TOWNSHIP. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND SEC 1107.04, MEMBERSHIP, OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES
Referred to Judiciary Committee
- 1ST RDG 2. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/THE STARK COUNTY REGIONAL PLANNING COMMISSION IN AMT NOT TO EXCEED \$20,000.00 FOR ADMINISTRATION OF THE CITY'S EMERGENCY SOLUTIONS GRANT PROG; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 3. AUTHORIZE MAYOR TO SUBMIT & FILE W/THE US DEPT OF HOUSING & URBAN DEV AMENDMENTS TO THE 2013 ANNUAL ACTION PLAN, NSP 1 SUBSTANTIAL AMENDMENT & NSP SUBSTANTIAL AMENDMENT; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 4. AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACTS FOR THE REMOVAL OF ASBESTOS FROM & DEMOLITION OF 2 COMMERCIAL STRUCTURES LOCATED @ 2408 13TH ST NE & 1446 W TUSC ST; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 5. AUTHORIZE MAYOR &/OR SERV DIR TO: ACCEPT 2 HOUSES FROM DDK PROPERTY GROUP LLC & 11 HOUSES FROM FREED HOUSING CORP; ENTER INTO CONTRACT(S) FRO THE REHAB & OTHER HOUSING EXPENSES OF EACH PROP IN A TOTAL AMT NOT TO EXCEED \$500,000.00; SELL SAID PROPERTIES ONCE THEY ARE COMPLETED; & AUTHORIZE AN EXPANSION OF THE HOUSING REHAB PROG TO UTILIZE UP TO \$500,000.00 IN CDBG FUNDS TO ENTER INTO CONTRACT FOR THE ACQUISITION, REHAB & RESALE OF HOME OWNER OCCUPIED UNITS; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 6. AMEND APPROP O#209/2012; EMERGENCY (\$80,000.00 SUPP APPROP FROM UNAPPROP BAL OF THE 2323 PREP FUND)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:57 P.M. FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #7; RECONVENED AT 7:59 P.M.)

- 166/2013 7. AUTHORIZE SAF DIR TO ENTER INTO AGMT W/TASER INTERNATIONAL IN A TOTAL AMT NOT TO EXCEED \$65,490.00 TO PURCHASE 60 TASER X2 MODELS & TO ENTER INTO A 5 YR REPLACEMENT AGMT W/TASER INTERNATIONAL; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 8. AUTHORIZING SERV DIR TO EXECUTE AN AERIAL EASEMENT AGMT W/ABLL REAL ESTATE LLC FOR PROPERTY LOCATED @ 309 COURT AVE NW; EMERGENCY
Referred to Environmental & Public Utilities Committee
- 1ST RDG 9. AMEND APPROP O#209/2012; EMERGENCY (SUPP APPROPS OF \$97,600.00 - FROM UNAPPROP BAL OF 5201 WATER FUND, \$6,600.00 FROM UNAPPROP BAL OF 5410 SEWER FUND, \$6,600.00 FROM UNAPPROP BAL OF THE 5601 SANITATION FUND & \$1,220.00 FROM UNAPPROP BAL OF 5227 WATER/METER MTU REPLACEMENT FUND)
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#10 - O#16; O#15 & O#16 ADOPTED)

- 2ND RDG 10. AMEND CHAP 1353, FORECLOSED PROP AND BLDGS OF CODIFIED ORDINANCES OF CANTON (JUD)
- 2ND RDG 11. ESTABLISH FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROP; AUTHORIZE SALE AND CONVEYANCE OF SAID PROP PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (JESSE JONES, PARCEL # 02-08850 ON 4TH ST NE) (C&ED)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 12. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO A JOB CREATION TAX INCENTIVE AGMT WITH CASE FARMS PROCESSING, INC. & CASE FARMS, LLC PURSUANT TO CITY'S INCENTIVE PROG; EMERGENCY (C&ED)
- 2ND RDG 13. AMEND O#209/2012; EMERGENCY (\$80,000.00 FROM UNAPPROP BAL 2328 PHEP GRANT FUND TO 2328 301001 PHEP GRANT - OTHER) (FIN)
- 2ND RDG 14. AMEND SECTION 1 OF O#177/2006; EMERGENCY (CHANGE DRAWER FOR IMPOUND LOT) (JUD)
- 167/2013 15. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH BRICKER & ECKLER, LLP IN AMT NOT TO EXCEED \$29,800.00 RELATED TO WATER RECLAMATION FACILITY UPGRADE; EMERGENCY (FIN)
- 168/2013 16. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID & DELINQUENT CHARGES FOR WATER AND/OR SEWER SERV; EMERGENCY (E&PU)

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

- 169/2013 17. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS FOR CANTON MUNICIPAL COURT AUDIO/VISUAL REHABILITATION PROJ; EMERGENCY
- 170/2013 18. AMEND APPROP O#209/2012; EMERGENCY (\$8,574.00 FROM 2767 701001 COMM SANCTIONS GRANT - PERSONNEL SERV TO 2767 701001 COMM SANCTIONS GRANT - OTHER)
- 171/2013 19. AUTHORIZE MAYOR AND/OR SERV DIR TO AMEND EXISTING CITY OF CANTON/CANTON TOWNSHIP I-77 CEDA AGMT; EMERGENCY
- 172/2013 20. 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
- 173/2013 21. 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)

AS AMENDED

- 174/2013 22. 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
- 175/2013 23. 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)

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

- 1) Finance Committee
- 2) Environmental & Public Utilities Committee
- 3) Community & Economic Development Committee
- 4) Judiciary Committee
- 5) Public Property Capital Improvement Committee

MISCELLANEOUS BUSINESS: Member Morris says the safety forces went way above and beyond at the chemical spill last week. Member Morris thanked Leader Dougherty and Member Smith for stepping up to the plate and helping set up everything at the Civic Center which was a home run for the citizens in need. There needed to be just a little more communication out to the public about the evacuation and he was wondering if perhaps the tornado sirens could be used if needed in the future. He gave compliments to everyone involved as they all made him look great in Ward 9. Member West announced that the Ohio Legislative Black Caucus would be holding a Town Hall meeting here in the Chamber on Thursday, September 26th at 4:00 PM. This is open to the public so come down and ask any questions you have of the state members. He thanked Napoli's, Walgreen's and Sport's Therapy for their donations of food and water to the people evacuated to the Civic Center last week. Member West discussed the Peace Rally that was held at McKinley High School on Saturday where 2,000 people came together and had a great dialog regarding peace and unity in the city. He thanked all Members of Council for really being out there and serving in the community over the past couple of weeks. Member Smith also commended businesses and people who helped out at the Civic Center including the Clerk of Council who came down to deliver pizza. She thanked Viola Fisher for hanging in there and staying the night with her to help those in need. Member Fisher thanked all Council Members and administration for their help last Monday. Member Cirelli spoke with Director Barton about the reverse 9-1-1 calls during the evacuation and only about 40 to 50% of the public still has land lines and received these calls. The city needs to find a way to address all citizens in an emergency. She also would like to see about the vacant buildings being inspected to prevent any problems in the future. She was one of the founding members of the Canton Friendship Center and she feels that they have lost their mission. Member Cirelli knows that this location is not a good fit for the clients of the Center or the residents of the neighborhood so she has been working with Director Williams on possible solutions. Member Mariol has had several conversations with the Director of the Friendship Center and he and Director Williams have been showing them other buildings that may be available for them to relocate to. Member Dougherty says that someone has now been arrested for the murder of Bennie Angelo and that is a good thing for the family. Officer Vic George did not give up. He spoke on the 21st Annual Feed the

Needy picnic which was held this past Saturday. It was another packed house even in the rain. Giant Eagle on 30th Street has really become a great part of this event over the past 2 years and their volunteers were here from the beginning to the end. He thanked all Members of Council and the Administration for the generous help of both money and efforts. This event would not happen with out the help of everyone.

ADJOURNMENT: 8:33 P.M.

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