

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

CANTON CITY COUNCIL

SEPTEMBER 30, 2013

ROLL CALL: Twelve Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Kyle Stone

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#8 and 2nd Rdg O#10 - O#16; O#9 Retained in Committee; O#8 Adopted on 1st Rdg; O#16 Adopted on 2nd Rdg)

PUBLIC HEARINGS: None

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

PUBLIC SPEAKS (CITY BUSINESS): Pete DiGiacomo re: Discussed Ordinance #167/2013, O#174/2013 from last weeks Agenda. Also commented on the contraflow lanes in downtown; Norma Mills re: Supporting the passage of O#178/2013 on this Agenda.

INFORMAL RESOLUTIONS:

46. COUNCIL AS A WHOLE: SUPPORTING THE 10/30/13 PUBLIC HEARING AT JACKSON TOWNSHIP ADMIN BLDG IN REGARD TO POLITICAL SUB DIVISIONS INCLUDING THE CITIES OF CANTON & NORTH CANTON TO ENTER INTO A CEDA W/THE BOARDS OF TRUSTEES OF JACKSON TOWNSHIP & PLAIN TOWNSHIP. - ADOPTED

COMMUNICATIONS:

379. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 9/20/13. - RECEIVED & FILED
380. LAW DIRECTOR MARTUCCIO: REQ LEGISLATION ON BEHALF OF ADMINISTRATION TO PROCEED W/THE IMPLEMENTATION OF THE PUBLIC SVC PLAN ADOPTED BY THE DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT TO ADOPT THE ESTIMATES PREPARED & FILED W/THE RESOLUTION OF NECESSITY. - JUDICIARY COMMITTEE
381. LIQUOR CONTROL DIVISION (OHIO): REQ FOR TRANSFER OF C2 C2X LIQ PERMIT FROM CLASSIC DRIVE THRU INC DBA FOODLINE MARKET TO ALBERT COURT ENTERPRISES INC DBA FOODLINE MARKET @ 1415 ALBERT AVE SE 1ST FL. - RECEIVED & FILED
382. MAYOR HEALY: ADVISING THAT HE WILL AGAIN SERVE ON THE BD OF DIRECTORS FOR THE JOINT ECONOMIC DEVELOPMENT DISTRICT W/JACKSON TOWNSHIP ON BEHALF OF CITY OF CANTON. - RECEIVED & FILED
383. SERVICE DIRECTOR BARTOS: REQ \$295,081.00 SUPP APPROP FROM UNAPPROP BAL OF 5442 WRF PHOSPHORUS/NITROGEN PROJECT FUND TO 5442 206044 WRF PHOSPHORUS/NITROGEN PROJECT-OTHER TO COVER PREVIOUSLY AMENDED MBR PROCUREMENT CONTRACT PRICE. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
384. SERVICE DIRECTOR BARTOS: REQ TO AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY SERV DIR IN AMT NOT TO EXCEED \$12,152.84 TO CENTRAL ALLIED ENTERPRISES FOR ASPHALT PURCHASE. - FINANCE COMMITTEE
385. SERVICE DIRECTOR BARTOS: ADVISING OF EMERGENCY REPORT; REQ ALL STEPS NECESSARY BE TAKEN TO RATIFY ACTIONS OF SERV DIR & SUPERINTENDENT MONROE; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY SERV DIR IN AMT NOT TO EXCEED \$23,195.00 TO LAKE ERIE CONSTRUCTION CO FOR REPLACEMENT OF AN IMPACT ATTENUATOR. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE AUDITOR TO ENTER INTO A 3 YR PROF SVCS AGREEMENT W/JULIAN & GRUBE INC IN AN AMT NOT TO EXCEED \$24,900.00 ANNUALLY; EMERGENCY
Referred to Finance Committee
- 1ST RDG 2. AMEND APPROP O#209/2012; EMERGENCY (\$180,000.00 FROM UNAPPROP BAL OF 6041 MOTOR VEHICLES DEPT, DMV FUND TO 6041 208010 SERVICE & REPAIR - OTHER)
Referred to Finance Committee
- 1ST RDG 3. APPROVE & ACCEPT REPLATTING & RENUMBERING OF OUTLOT 1150; EMERGENCY (CRESCENDO COMMERCIAL REALTY LLC @ 2600 BLOCK OF MARET ST NE)
Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 4. AMEND O#145/2013; EMERGENCY (\$31,268.05 FROM UNAPPROP BAL OF THE 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 102000 POLICE - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 5. AUTHORIZE SAF DIR TO ACCEPT REIMBURSEMENT GRANT FUNDS IN AMT NOT TO EXCEED \$31,988.28 FROM STATE FOR A TRAFFIC ENFORCEMENT PROG; EMERGENCY
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZE AUDITOR TO PAY \$8,067.84 TO KIMBLE CLAY & LIMESTONE; EMERGENCY (FOR WASTE DISPOSAL SVCS FOR CITY DEPTS)
Referred to Finance Committee
- 1ST RDG 7. AUTHORIZE MAYOR &/OR SERV DIR TO AMEND ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT W/THE FEDERAL GOVT TO EXTEND THE GRANT PERIOD & ACCOUNT FOR AEP ENERGY EFFICIENCY GRIDSMART GRANT FUNDS; AMEND O#248/2009; AMEND APPROP O#209/2012; EMERGENCY (\$19,480.73 FROM UNAPPROP BAL OF 2236 ENERGY EFFICIENCY & CONSERVATION GRANT FUND TO 2236 202030 CANTON SUSTAINABILITY PROJ GP 1134 - OTHER)
Referred to Finance Committee

COUNCIL RECESSED AT 7:41 P.M. FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #8; RECONVENED AT 7:48 P.M.)

- 176/2013 8. AMEND O#120/2013; EMERGENCY (EXHIBIT A AMENDED TO INCLUDE ADDITIONAL PROP APPRAISALS - 12TH ST CORRIDOR PROJ)
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#10 - O#16; O#9 RETAINED IN COMMITTEE; O#16 ADOPTED)

RETAINED

- IN CMTE 9. AMEND SEC 1107.04, MEMBERSHIP, OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES (JUD)
- 2ND RDG 10. 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 (C&ED)
- 2ND RDG 11. 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 (C&ED)
- 2ND RDG 12. 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 (C&ED)
- 2ND RDG 13. AUTHORIZE MAYOR &/OR SERV DIR TO: ACCEPT 2 HOUSES FROM DDK PROPERTY GROUP LLC & 11 HOUSES FROM FREED HOUSING CORP; ENTER INTO CONTRACT(S) FOR 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 (C&ED)
- 2ND RDG 14. AMEND APPROP O#209/2012; EMERGENCY (\$80,000.00 SUPP APPROP FROM UNAPPROP BAL OF THE 2323 PREP FUND) (FIN)
- 2ND RDG 15. 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) (PPCI)
- 177/2013 16. AUTHORIZING SERV DIR TO EXECUTE AN AERIAL EASEMENT AGMT W/ABLL REAL ESTATE LLC FOR PROPERTY LOCATED @ 309 COURT AVE NW; EMERGENCY (E&PU)

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

- 178/2013 17. AMEND CHAP 1353, FORECLOSED PROP AND BLDGS OF CODIFIED ORDINANCES OF CANTON
- 179/2013 18. 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)
- 180/2013 19. 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
- 181/2013 20. AMEND O#209/2012; EMERGENCY (\$80,000.00 FROM UNAPPROP BAL 2328 PHEP GRANT FUND TO 2328 301001 PHEP GRANT - OTHER)

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

182/2013 21. AMEND SECTION 1 OF O#177/2006; EMERGENCY (CHANGE DRAWER FOR IMPOUND LOT)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, OCTOBER 7, 2013 in Council Caucus Room at 6:30 P.M.**

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

MISCELLANEOUS BUSINESS: Member Cirelli re: Asked about the article in the paper where it was stated that the Wheeling Lake Erie Railroad Company agreed to clean up their railroad ties but leaving Canton out of it; Law Director Martuccio re: advised that he would speak to the Health Department about this issue; Service Director Bartos re: Advised that he has a meeting with Mark Adams from Health/Sanitation Departments tomorrow and would discuss the issue with him and the Law Director.

ADJOURNMENT: 7:59 PM

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