

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

OCTOBER 7, 2013

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Cirelli and President Schulman Absent

INVOCATION: Edmond Mack, Ward 8 Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem Dougherty

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#6 - O#12; O#18 Adopted as Amended)

PUBLIC HEARINGS: None

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

PUBLIC SPEAKS (CITY BUSINESS): Jonathan Bailey spoke about the number of bicycles that are being stolen and scrapped in the city. This is hurting the poor people in the community because many now use this for their form of transportation. This needs investigated and stopped. Tim Porter was here to follow up on his previous complaint for the Summit United Neighbors Association having problems with a grant but that was solved today with the help of Chief of Staff Fonda Williams. He also wanted to address all of the panhandling in the city and how this could be stopped. Bruce Nordman ran a Job Fair for police and fire last week but it was not as successful as the one they had for sheriff candidates. They were trying to get veterans to apply for the police and fire positions. He also spoke about a march down Market Avenue from the Old McKinley High School to 3rd Street on 1st Friday in November which is the night before the McKinley/Massillon football game. Lois DiGiacomo-Jacobson discussed the 15th Anniversary of Coming Together Stark County which all Members have received invitations for. This will be held October 17th at the Canton Club and many awards will be given that evening. Henry Preston says that it is very disrespectful of dog walkers to allow their pets to urinate and defecate on the private property of others without permission. Dogs can be trained on where to allow their bodily functions to release.

INFORMAL RESOLUTIONS:

47. COUNCIL MEMBER MACK: AUTHORIZE SAF DIR TO IMPOSE TEMPORARY MORATORIUM FOR A PERIOD OF 180 DAYS ON PROCESSING & ISSUANCE OF PERMITS AND LICENSING FOR AN AMUSEMENT ARCADE WHERE MORE THAN 5 SKILL BASED AMUSEMENT AND/OR COMPUTERIZED SWEEPSTAKES DEVICES ARE PRESENT. - ADOPTED

COMMUNICATIONS:

386. AUDITOR MALLONN: ADDITIONAL AMENDED CERT DATED 9/30/13. - RECEIVED & FILED

387. AUDITOR MALLONN: MNTHLY RPT BY FUND FOR 9/1/13 - 9/30/13. - RECEIVED & FILED

388. AUDITOR MALLONN: YRLY RPT BY FUND FOR 1/1/13 - 9/30/13. - RECEIVED & FILED

389. HEALTH COMMISSIONER ADAMS: AMEND O#209/2012; (\$300,000.00 SUPP APPROP FROM UNAPPROP BAL 2316 WIC TO 2316 WIC GRANT FUND - \$230,000.00 & 2316 WIC GRANT FUND - PERSONNEL - \$70,000.00). - FINANCE COMMITTEE

390. HEALTH COMMISSIONER ADAMS: AMEND O#209/2012; (\$1,459.54 INTERFUND TRANSFER FROM 2323 301001 OTHER TO 2323 301001 PERSONNEL). - FINANCE COMMITTEE

391. LIQUOR CONTROL DIVISION (OHIO): REQ D2 D2X D3 D3A TRANSFER OF LIQUOR PERMIT FROM SELJR INC DBA WHITE CROWN CAFÉ @ 2528 9TH ST SW 1ST FL TO SHELL DS LLC DBA WHITE CROWN CAFÉ @ 2528 9TH ST SW 1ST FL. - RECEIVED & FILED

392. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO REFURBISH SWAT ARMORED VEHICLE AT A COST NOT TO EXCEED \$79,623.50. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

393. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO REC & APPROP 2012 COPS HIRING PROG GRANT IN AMT NOT TO EXCEED \$821,489.00. - FINANCE COMMITTEE

394. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO REC & APPROP 2013 COPS HIRING PROG GRANT IN AMT NOT TO EXCEED \$851,949.00. - FINANCE COMMITTEE

395. SERVICE DIRECTOR BARTOS: AUTHORIZE SERV DIR TO ENTER INTO AN AMENDMENT OF PROF SERV AGMT WITH CT CONSULTANTS, INC., IN AMT NOT TO EXCEED \$756,200.00; AUTHORIZE SERV DIR TO FILE APPLICATION & ENTER INTO AGMT WITH OHIO EPA FOR SUPP LOW INTEREST LOAN FROM WATER POLLUTION CONTROL LOAN FUND TO FINANCE ADDT'L ENGINEERING COSTS IN AMT NOT TO EXCEED \$756,200.00; AUTHORIZE AUDITOR TO AMEND 5410 WRF PHOSPHORUS/TOTAL NITROGEN PROJ FUND FOR RECEIPT & DISBURSEMENT OF FUNDS & DRAW WARRANTS UPON RECEIPT OF VOUCHERS; AUTHORIZE \$756,200.00 SUPP APPROP FROM UNAPPROP BAL 5410 SEWER FUND TO 5410 206044 WRF PHOSPHORUS/TOTAL NITROGEN PROJ - OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

COMMUNICATIONS CONTINUED:

396. SERVICE DIRECTOR BARTOS: REQ CONSENT LEGISLATION FOR ODOT TO CONDUCT MAINTENANCE OPERATIONS/CONTRACTS ON I-77 WITHIN CANTON CORP LIMITS. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
397. SERVICE DIRECTOR BARTOS: REQ CONSENT LEGISLATION WITH ODOT TO REHABILITATE BRIDGE ON FAIRCREST SW. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
398. SERVICE DIRECTOR BARTOS: REQ CONSENT LEGISLATION WITH ODOT TO CONSTRUCT GUARDRAIL REPAIRS ON VARIOUS STATE ROUTES WITHIN CANTON CORP LIMITS. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
399. SERVICE DIRECTOR BARTOS: REQ CONSENT LEGISLATION WITH ODOT TO REALIGN & RECONFIGURE US 62, MIDDLEBRANCH AVE & HARRISBURG AVE. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
400. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 9/30/13. - RECEIVED & FILED
401. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 9/30/13. - RECEIVED & FILED
402. TREASURER SCHIRACK: RPT OF DEPOSITS & PAY-INS FOR SEPT 2013 TO AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED
403. _____ TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR SEPT 2013. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE CANTON TO ANNEX THE TERRITORY KNOWN AS THE HOF ANNEXATION AREA CONTAINING APPROX 5.776 ACRES; ASSIGNING SAID TERRITORY TO WARD 7 OF THE CITY; ZONING SAID TERRITORY AS CS (COMMUNITY SERVICE); EMERGENCY
Referred to Annexation Committee **PUB HRG 10/28/13 @ 7:30 PM**
- 1ST RDG 2. ORDINANCE TO PROCEED WITH IMPLEMENTATION OF PUBLIC SERV PLAN ADOPTED BY DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; ADOPTING THE ESTIMATED ASSESSMENT PREPARED & FILED WITH THE RESOLUTION OF NECESSITY; EMERGENCY
Referred to Judiciary Committee
- 1ST RDG 3. AMEND APPROP O#209/2012; EMERGENCY (\$295,081.00 FROM UNAPPROP BAL 5442 WRF PHOSPHORUS/NITROGEN PROJ FUND TO 5442 206044 WRF PHOSPHORUS/NITROGEN PROJ - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 4. AUTHORIZING THE CITY AUDITOR TO PAY \$12,152.84 TO CENTRAL ALLIED ENTERPRISES; EMERGENCY (PATCHING - STREET DEPT)
Referred to Finance Committee
- 1ST RDG 5. AUTHORIZING THE CITY AUDITOR TO PAY \$23,195.00 TO LAKE ERIE CONSTRUCTION COMPANY; EMERGENCY (DMDG. ATTENUATOR)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#6 - O#12)**

- 2ND RDG 6. 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 (FIN)
- 2ND RDG 7. 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) (FIN)
- 2ND RDG 8. APPROVE & ACCEPT REPLATTING & RENUMBERING OF OUTLOT 1150; EMERGENCY (CRESCENDO COMMERCIAL REALTY LLC @ 2600 BLOCK OF MARET ST NE) (PS&T)
- 2ND RDG 9. AMEND O#145/2013; EMERGENCY (\$31,268.05 FROM UNAPPROP BAL OF THE 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 102000 POLICE - OTHER) (PPCI)
- 2ND RDG 10. AUTHORIZE SAF DIR TO ACCEPT REIMBURSEMENT GRANT FUNDS IN AMT NOT TO EXCEED \$31,988.28 FROM STATE FOR A TRAFFIC ENFORCEMENT PROG; EMERGENCY (FIN)
- 2ND RDG 11. AUTHORIZE AUDITOR TO PAY \$8,067.84 TO KIMBLE CLAY & LIMESTONE; EMERGENCY (FOR WASTE DISPOSAL SVCS FOR CITY DEPTS) (FIN)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 12. 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) (FIN)

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

- 183/2013 13. 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
- 184/2013 14. 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
- 185/2013 15. 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
- 186/2013 16. 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
- 187/2013 17. AMEND APPROP O#209/2012; EMERGENCY (\$80,000.00 SUPP APPROP FROM UNAPPROP BAL OF THE 2323 PREP FUND)

AS AMENDED

- 188/2013 18. 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)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, OCTOBER 21, 2013 in Council Caucus Room at 6:45 P.M.**

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

MISCELLANEOUS BUSINESS: Law Director Martuccio told Mr. Porter that there is a Codified Ordinance which addresses panhandling and begging. Unfortunately begging is a protected form of speech unless the person is aggressive, coming too close or being verbally abusive. Mayor Healy says that Council and the Administration try to deal with problems as they arise but this weekend the Repository had an article about the positive aspects of downtown. There are many people and companies that are investing in Canton such as the Timken family, Mike King, the Chamber of Commerce, VXI and many others. The Quarry and Gervasi are also great additions to Canton even though they are not in the downtown area. All of these contribute to positive actions for the good of Canton. The staple companies such as Timkens, Aultman, Mercy, Ashland Oil, Malone University and others that have expanded make this a great place to live. We should spend more time bragging about the benefits of our town. He also read a proclamation which named October 7, 2013, Pastor George Dunwoody Day.

ADJOURNMENT: 8:09 P.M.