

ROLL CALL: Twelve Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Frank Morris, Ward 9 Council Member

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#12 & O#13 and 2nd Rdg O#14 - O#18; O#12 & O#13 Adopted on 1st Rdg; O#20 Adopted as Amended)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Jonathan Bailey re: Discussed bicycle theft in the City and feels that the scrap metal dealers should get ID and serial numbers before taking bicycles; Christine Rippert re: Discussed a phone call she received from the Zoning Inspector about Member Cirelli's complaints that her business (Not to Tabby Resale Shop) is putting items outside for sale.

INFORMAL RESOLUTIONS:

48. CNCL AT LG MBRS BABCOCK & CIRELLI & WARD CNCL MBRS HAWK, GRIFFIN, FISHER, MARIOL, MACK & MORRIS: REQ MAYOR & ADMIN TO USE BEST EFFORTS TO REINSTATE PREVIOUSLY EXISTING CAPTAINS' POSITIONS &/OR RELATED PROPOSALS & PROCEDURES ASSIGNING SAFETY OFFICER DUTIES. - ADOPTED

COMMUNICATIONS:

404. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 10/10/13. - RECEIVED & FILED
405. COUNCIL AS A WHOLE: REQ LAW DEPT TO RESEARCH & DRAFT LEGISLATION REGARDING LANDLORD/TENANT ISSUES. - JUDICIARY COMMITTEE
406. COUNCIL MEMBER SMITH: REQ STREET NAME CHANGE FROM FELLER CT SE BETWEEN 11TH ST SW & 12TH ST SE TO FLOYD SUMMERS CT SE. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
407. FINANCE DIRECTOR DIRUZZA: AMEND APPROP O#209/2012 FOR VARIOUS DEPTS TO MEET THE OPERATING NEEDS FOR THE REMAINDER OF THE YEAR. - FINANCE COMMITTEE
408. LAW DIRECTOR MARTUCCIO: REQ TO REPEAL SECTION 549.11 OF THE CODIFIED ORDINANCES WHICH IS AN OUTDATED & STATE PREEMPTED SEC. - JUDICIARY COMMITTEE
409. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED ALLEY VAC OF GROVE PL SW 95' EAST OF EXETER AVE SW TO THE EAST OF THAT DEDICATED ROADWAY IN WARD 3 (REQUESTED BY AULTMAN HEALTH FOUNDATION). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
410. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED ZONE CHANGE FROM R-2 (TWO FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS) @ 1809 22ND ST NE TO ALLOW THE CONTINUATION OF A SALES/SERVICE/STORAGE BUSINESS IN WARD 9 (REQUESTED BY ROBERT TABOR). - JUDICIARY COMMITTEE
411. SAFETY DIRECTOR PERRY: REQ TO ENTER INTO PROF SVCS CONTRACT, EFF 11/1/13 W/AULTWORKS OCCUPATIONAL MEDICINE FOR 3 YR PERIOD. - FINANCE COMMITTEE
412. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO REC \$1,500.00 OHIO DEPT OF PUB SAF 2013-2014 EMS GRANT ON BEHALF OF POLICE DEPT; AUTHORIZE \$1,500.00 SUPP APPROP FROM UNAPPROP BAL OF 2786 POLICE EMS GRANT FUND TO 2786 102001 POLICE ADMIN - OTHER. - FINANCE COMMITTEE
413. SAFETY DIRECTOR PERRY: AMEND O#108/2013 TO REFLECT CHANGE IN TYPE OF VEHICLES PURCHASED FROM 6 CHEVY CAPRICES TO 6 FORD INTERCEPTORS FOR POLICE DEPT IN AMT NOT TO EXCEED \$189,650.00. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
414. SERVICE DIRECTOR BARTOS: REQ TO PURCHASE FOR COLLECTION SYSTEMS & WATER DEPT A JOHN DEERE 650K W/ACCESSORIES FROM MURPHY TRACTOR & SALES AT A COST NOT TO EXCEED \$150,000.00; REQ \$75,000.00 SUPP APPROP FROM UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 WATER DISTRIBUTION FUND - OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

COMMUNICATIONS CONTINUED:

415. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AN AGMT W/CURRENT OWNERS OF PARCEL #240518 & ACCEPT THE DONATION OF A 3.81 ACRE, MORE OR LESS, TRACT OF LAND ON BEHALF OF CITY; ACKNOWLEDGE DONATION OF \$80,000.00 IN PROP VALUE BY H-P PRODUCTS TO CITY. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND APPROP O#209/2012; EMERGENCY (\$300,000.00 FROM UNAPPROP BAL OF 2316 WIC GRANT FUND \$230,000.00 TO 2316 WIC GRANT FUND - OTHER & \$70,000.00 TO 2316 WIC GRANT FUND - PERSONNEL)
Referred to Finance Committee
- 1ST RDG 2. AMEND O#209/2012; EMERGENCY (\$1,459.54 FROM 2323 301001 - OTHER TO 2323 301001 - PERSONNEL - HEALTH DEPT)
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZE SAF DIR TO ENTER INTO CONTRACT W/LENCO ARMORED VEHICLES IN AN AMT NOT TO EXCEED \$79,623.50 TO REFURBISH THE SWAT ARMORED VEHICLE; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 4. AUTHORIZE SAF DIR TO REC THE 2012 COPS HIRING PROG GRANT IN AMT NOT TO EXCEED \$821,489.00; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. AUTHORIZE SAF DIR TO REC THE 2013 COPS HIRING PROG GRANT IN AMT NOT TO EXCEED \$851,949.00; EMERGENCY
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZE SERV DIR TO ENTER INTO AN AMENDMENT OF THE PROF SVCS AGMT W/CT CONSULTANTS INC IN AN AMT NOT TO EXCEED \$756,200.00 & TO FILE AN APP & ENTER INTO AN AGMT W/OHIO EPA FOR A SUPPLEMENTAL LOW-INTEREST LOAN FROM THE WATER POLLUTION CONTROL LOAN FUND; AMEND APPROP O#209/2012; EMERGENCY (FROM UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206044 WRF PHOSPHORUS/TOTAL NITROGEN PROJ - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 7. AUTHORIZE SERV DIR TO ENTER INTO AGMT W/THE OHIO DEPT OF TRANSPORTATION FOR THE ABILITY TO CONDUCT MAINTENANCE OPERATIONS/CONTACTS ON 1-77 WITHIN CANTON CORP LIMITS; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 8. AUTHORIZE & CONSENT TO REPAIR OF STRUCTURE #7606515 (FAIRCREST BRIDGE) ON SR 627 OVER THE STREAM AT SEC 4.32; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 9. AUTHORIZE & CONSENT TO GUARDRAIL UPGRADES ON SR 43, SR 687, SR 800, US 30 & US 62; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 10. AUTHORIZE & CONSENT TO MISCELLANEOUS WORK ON 30TH ST; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 11. ACCEPTING THE AMTS & RATES AS DETERMINED BY THE BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES & BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES & CERTIFYING THEM TO THE COUNTY AUDITOR
Referred to Finance Committee

COUNCIL RECESSED AT 7:45 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #12; RECONVENED AT 7:48 P.M.)

- 189/2013 12. AUTHORIZE THE MAYOR &/OR SAF DIR TO ENTER INTO A THREE-YR PROF SVCS CONTRACT W/AULTWORKS OCCUPATIONAL MEDICINE; EMERGENCY
Referred to Finance Committee

COUNCIL RECESSED AT 7:48 P.M. FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #13; RECONVENED AT 7:50 P.M.)

- 190/2013 13. AMEND O#108/2013; EMERGENCY (REFLECT CHANGE IN TYPE OF VEHICLES PURCHASED TO 6 FORD INTERCEPTORS FOR POLICE DEPT - \$189,650.00)
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#14 - O#18)

- 2ND RDG 14. 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
 (ANNEX) **PUB HRG 10/28/13 @ 7:30 PM**
- 2ND RDG 15. 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
 (JUD)
- 2ND RDG 16. 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)
 (PPCI)
- 2ND RDG 17. AUTHORIZING THE CITY AUDITOR TO PAY \$12,152.84 TO CENTRAL ALLIED ENTERPRISES; EMERGENCY (PATCHING - STREET DEPT)
 (FIN)
- 2ND RDG 18. AUTHORIZING THE CITY AUDITOR TO PAY \$23,195.00 TO LAKE ERIE CONSTRUCTION COMPANY; EMERGENCY (DMDG. ATTENUATOR)
 (FIN)

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

- 191/2013 19. 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

AMENDED

- 192/2013 20. 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)
- 193/2013 21. APPROVE & ACCEPT REPLATTING & RENUMBERING OF OUTLOT 1150; EMERGENCY (CRESCENDO COMMERCIAL REALTY LLC @ 2600 BLOCK OF MARET ST NE)
- 194/2013 22. AMEND O#145/2013; EMERGENCY (\$31,268.05 FROM UNAPPROP BAL OF THE 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 102000 POLICE - OTHER)
- 195/2013 23. AUTHORIZE SAF DIR TO ACCEPT REIMBURSEMENT GRANT FUNDS IN AMT NOT TO EXCEED \$31,988.28 FROM STATE FOR A TRAFFIC ENFORCEMENT PROG; EMERGENCY
- 196/2013 24. AUTHORIZE AUDITOR TO PAY \$8,067.84 TO KIMBLE CLAY & LIMESTONE; EMERGENCY (FOR WASTE DISPOSAL SVCS FOR CITY DEPTS)
- 197/2013 25. 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)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, OCTOBER 28, 2013 in Council Caucus Room at 6:15 P.M.

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

MISCELLANEOUS BUSINESS: Member Cirelli re: Discussed sexual predators during trick or treat. Advised that she is delighted the Repository is now putting real estate transfers in the paper on Fridays. Discussed the woman that died from an electrical wire that was hanging down and said she would like to see those wires buried. Responded to Christine Rippert. Asked Law Director Martuccio if we can get the owner of 2123 Cleveland Ave to put up a \$10,000.00 bond; Law Director Martuccio re: Advised that it is something that he can look at; Member West re: Advised that the enforcement of the dumpster legislation has brought in \$25,000.00 in 5 months. Advised that the foreclosure legislation has already brought in \$10,000.00. Advised Council that he will be bringing down an Informal Resolution next week in regard to a minority business assistant center in the City in collaboration with Cleveland and Akron. Also advised that he did not vote for or against Resolution #48 because he is under the impression that the City needs more Firefighters; Member Griffin re: Advised that the Tree Commission had a meeting last Tuesday and advised that there will be an Arbor Day Celebration on April 26, 2014 in the Stadium Park around the Garden Center; Safety Director Perry re: Introduced Amy Slater, the new HR Director; Clerk Timberlake re: Read a letter that a constituent named Dave Patete wrote and requested that it be read at the Council Meeting.

ADJOURNMENT: 8:12 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 28, 2013 @ 7:30 PM