

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

CANTON CITY COUNCIL

NOVEMBER 25, 2013

**ROLL CALL:** Eleven Council Members Present

**MOTION TO EXCUSE MEMBERS:** Member Mack Absent

**INVOCATION:** James Babcock, Council-at-Large Member

**PLEDGE OF ALLEGIANCE:** President Allen Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#16 - O#23; Retained Resolution #59 in Committee; O#20 & O#23 Adopted in 2<sup>nd</sup> Rdg; O#210/2013 Reconsidered and Amended; O#25 Adopted as Amended)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Jonathan Bailey says that most people do not report stolen bicycles because the police don't do anything about it. He gets calls everyday about someone having their bike stolen. This is like legalized bicycle theft. How many bicycle thieves have been arrested in the city? There must be something done about this. Bruce Nordman provided a paper to all Council Members and the administration on how to bring the police officers and firefighters up to 175 employees. He also discussed the plans for next years McKinley versus Massillon game and their group would like to raise \$9,000.00 to purchase 5 more banners to hang to show the support and spirit of the city. Mr. Nordman also would like to have a holiday parade or event in downtown Canton next year because the people in Massillon sure enjoy theirs. Pete DiGiacomo stated that Kevin Monroe, the Street Department Superintendent did an excellent job with the purchase of the salt. This could save the city 300 to \$350,000.00 over the winter. He also spoke about Sheriff elect Swanson wanting to resend all of the CCW permits and who is going to pay for all of that.

**INFORMAL RESOLUTIONS:**

51. COUNCIL-AS-A-WHOLE: CONGRATULATING CITY TREASURER ROBERT SCHIRACK ON HIS RETIREMENT. - ADOPTED
52. PERSONNEL COMMITTEE: REQ APPRVL OF RE-APPT OF JACK BOLENDER TO CITY OF CANTON INVESTMENT BOARD FOR TERM OF 1/1/14 - 12/31/15. - ADOPTED
53. PERSONNEL COMMITTEE: REQ APPRVL OF RE-APPT OF DAWN DEVINE TO CITY OF CANTON INVESTMENT BOARD FOR TERM OF 1/1/14 - 12/31/15. - ADOPTED
54. PERSONNEL COMMITTEE: REQ APPRVL OF RE-APPT OF DAVE KIRVEN TO CANTON CONSTRUCTION BOARD FOR TERM OF 1/1/14 - 12/31/16. - ADOPTED
55. PERSONNEL COMMITTEE: REQ APPRVL OF RE-APPT OF JOSEPH FRIEDMAN TO CANTON CONSTRUCTION BOARD FOR TERM OF 1/1/14 - 12/31/16. - ADOPTED
56. PERSONNEL COMMITTEE: REQ APPRVL OF RE-APPT OF DAVE GRABOWSKI TO CANTON CONSTRUCTION BOARD FOR TERM OF 1/1/14 - 12/31/16. - ADOPTED
57. PERSONNEL COMMITTEE: REQ APPRVL OF RE-APPT OF KENNETH SANDER TO BOARD OF BUILDING APPEALS FOR RETRO TERM OF 7/12/13 - 7/11/16. - ADOPTED
58. PERSONNEL COMMITTEE: REQ APPRVL OF RE-APPT OF SUE ROSS TO BOARD OF ZONING APPEALS FOR TERM OF 1/1/14 - 12/31/16. - ADOPTED
59. PERSONNEL COMMITTEE: REQ APPRVL OF APPT OF DEBORAH SHAMLIN TO FAIR EMPLOYMENT PRACTICES BOARD FOR TERM OF 1/1/14 - 12/31/16. - **RETAINED IN COMMITTEE**

**COMMUNICATIONS:**

459. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERTIFICATE DATED 11/15/13. - RECEIVED & FILED
460. AUDITOR MALLONN: REQ APPROP TRANSFER FROM 4501 801001 AUDITOR - OTHER TO 4501 201004 2006-CONSTRUCT/RECONSTRUCT BOND - OTHER AND \$20,000.00 APPROP TRANSFER FROM 1001 702001 CLERK OF COURTS - PERSONNEL TO 1001 802001 AUDITOR - CLERK COURTS ATM - OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
461. CHIEF OF STAFF WILLIAMS: REQ APPRVL OF CREATION OF 2 FUNDS IN ACCORDANCE WITH CODIFIED ORDINANCE 1353 "FORECLOSED PROP & BLDG"; 7501 801001 54538 (REGISTRATION & ADMIN FEES) SPECIAL REVENUE FUND FOR 10% AND 7501 801001 54539 (REMAINING BAL OF FORECLOSURE BOND) NON-INTEREST BEARING ACCT FOR 90%. - FINANCE COMMITTEE
462. CHIEF OF STAFF WILLIAMS: REQ APPRVL TO ACCEPT FUNDS FROM 2013 FAIR HOUSING AGENCY PARTNERSHIP GRANT IN AMT OF \$349,500.00; REQ APPRVL OF CREATION OF FUND 2216 FOR GRANT USE; REQ APPRVL OF CREATION OF TWO CLASSIFIED POSITIONS TO SUPPORT IMPLEMENTATION OF GRANT, FAIR HOUSING INVESTIGATOR & EDUCATION/INTAKE SPECIALIST. - FINANCE AND PERSONNEL COMMITTEES

**COMMUNICATIONS CONTINUED:**

463. DEVELOPMENT DIR FREEMAN: AUTHORIZE THE DESIGNATION OF COMMERCIAL IMPROVEMENTS OF PROP AT & NEAR FRESH MARK INC OFFICE & OPERATING LOCATION IN CANTON SUBJECT TO TAX INCREMENT FINANCING. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
464. MAYOR HEALY: AUTHORIZE RE-APPT OF THOMAS LAROCHELLE TO FAIR HOUSING COMMISSION FOR RETRO TERM OF 9/1/13 - 8/31/18. - PERSONNEL COMMITTEE
465. MAYOR HEALY: ADVISE APPT OF JOSEPH DIRUZZA TO CANTON COMMUNITY IMPROVEMENT CORP. - RECEIVED & FILED
466. PARK DIRECTOR GORDON: REQ AMENDMENT TO O#269/2005 TO RENAME 2530 FUND TO PARK OPERATIONS AND SPECIAL REVENUE/PROJ FUND. - FINANCE COMMITTEE
467. SAFETY DIRECTOR PERRY: AUTHORIZE THE PAYMENT OF A \$20,740.00 MORAL OB TO TRUCK SALES & SERVICE, INC. FOR EMERGENCY ENGINE REPAIR ON A 4700 MODEL FIRE ENGINE. - FINANCE COMMITTEE
468. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR AND/OR PARK COMMISSION TO APPLY FOR, ENTER INTO AGMT FOR & RECV FUNDS FROM MULTIPLE POTENTIAL FUNDING SOURCE DURING 2014 FOR VARIOUS CAPITAL IMPROVEMENT PROJ MANAGED BY THE ENG DEPT OR IN CONJUNCTION WITH OTHER CITY DEPTS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

- 1<sup>ST</sup> RDG 1. AMEND CHAP 917, TREES, OF THE CODIFIED ORDINANCE OF THE CITY OF CANTON  
Referred to Judiciary Committee
- 1<sup>ST</sup> RDG 2. AMEND APPROP O#209/2012, AS NEEDED, BY MAKING SUPP APPROP & INTERFUND ADVANCE & INTERFUND ADVANCE REPAYMENTS (\$35,616.00 BYRNE GRANT FUNDS)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 3. 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 (PARCEL #02-08490 DANIEL C & ELIZABETH SUMMERS ON 11<sup>TH</sup> ST SE)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 4. AUTHORIZE CITY AUDITOR TO PAY MORAL OB IN AMTS NOT TO EXCEED \$7,845.21 & \$4,867.90 TO AT&T AND \$3,080.68 TO VERIZON; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. AMEND APPROP O#209/2012 BY MAKING A \$145.14 INTERFUND TRANSFER FROM 1001 301001 - OTHER TO 2312 301001 - OTHER; EMERGENCY (HEALTH DEPT)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 6. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT WITH STARK COUNTY PUBLIC DEFENDER COMMISSION FOR PROVISION OF LEGAL SERV TO INDIGENTS; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 7. AUTHORIZE AN AMENDMENT TO JACKSON-CANTON JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT; EMERGENCY  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 8. APPROVING & ACCEPTING THE REPLATTING OF LOT 35853 AND PART OF LOT 35852; EMERGENCY (MR. & MRS. THOMAS FORBES @ 369 47<sup>TH</sup> ST NW)  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 9. APPROVING & ACCEPTING THE REPLATTING OF PART OF LOT NUMBERS 30740, 38867, 38868, ALSO BEING PART OF PARCEL NUMBERS 209862, 209861 AND 202512; EMERGENCY (REED FUNERAL HOME @ 3737 GREENWOOD PL SW)  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 10. APPROVING & ACCEPTING THE DEDICATION PLAT OF RIGHT-OF-WAY ALONG THE WEST SIDE OF RAFF ROAD SW; APPROVING & ACCEPTING THE REPLATTING OF PART OF LOT 31008 AND PART OF LOT 31009; EMERGENCY (955 RAFF RD SW)  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 11. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$11,000.00 TO DESANTIS ENTERPRISES; EMERGENCY  
Referred to Community & Economic Development Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:**

- 1<sup>ST</sup> RDG 12. AUTHORIZE SAF DIR TO ACCEPT A FEMA FIRE PREVENTION GRANT IN AMT NOT TO EXCEED \$80,010.00 TO PURCHASE SMOKE DETECTORS; AMEND O#209/2012; EMERGENCY (\$64,008.00 FROM UNAPPROP BAL 2813 FIREFIGHTERS ASSIST GRANT TO 2813 103001 FIRE - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 13. AUTHORIZE SERV DIR TO ENTER INTO AGMT WITH CANTON CITY BOARD OF HEALTH TO ESTABLISH RATES FOR INDIGENT BURIALS; AMEND CHAP 979, CEMETERIES, OF THE CODIFIED ORDINANCES OF CANTON  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 14. AUTHORIZING MAYOR AND/OR SERV DIR TO ENTER INTO VARIOUS CONTRACTS AND AGMTS FOR WATER METER & METER TRANSMITTING UNIT REPLACEMENT PROG; AUTHORIZE AUDITOR TO RECV ALL LOAN & REVENUE PROCEEDS & TRACK EXPENDITURES; EMERGENCY  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG 15. AMEND EXHIBIT A TO O#40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (ADD CLASSIFICATIONS PIPEFITTER 3 AND CONSTRUCTION SUPERVISOR TO SERV DIR PUBLIC WORKS COLLECTION SYSTEMS DEPT)  
Referred to Personnel Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#16 - O#23; O#20 & O#23 ADOPTED)**

- 2<sup>ND</sup> RDG 16. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO JOINT ECONOMIC DEVELOPMENT DISTRICT AGMT IN SPECIFIC AREAS IN PARTNERSHIP WITH JACKSON TOWNSHIP, THE CITY OF NORTH CANTON & PLAIN TOWNSHIP; EMERGENCY (C&ED)
- 2<sup>ND</sup> RDG 17. VACATE PORTION OF GROVE PL SW; EMERGENCY (20' WIDE FROM WEST LINE OF LOT 16058 TO EAST LINE OF LOTS 16059 & 10270 FOR AULTMAN HEALTH FOUNDATION) (PS&T)  
**PUB HRG 12/2/13 @ 7:30 PM**
- 2<sup>ND</sup> RDG 18. AMEND O#55/77, AS AMENDED, KNOWN AS ZONING ORDINANCE; EMERGENCY (REZONE 1809 22<sup>ND</sup> ST NE FROM R-2 (TWO FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS) FOR ROBERT TABOR) (JUD)  
**PUB HRG 12/2/13 @ 7:31 PM**
- 2<sup>ND</sup> RDG 19. AUTHORIZE SAF DIR TO ENTER INTO CONTRACT W/TRIMBLE IN AMT NOT TO EXCEED \$24,662.31 FOR PURCHASE OF A TOTAL STATION PURSUANT TO ORC SEC 125.04; EMERGENCY (PPCI)
- 217/2013** 20. AUTHORIZE MAYOR &/OR SERV DIR TO NEGOTIATE & ENTER INTO 5-YR CONTRACT W/THE WORKSHOPS INC FOR THE OPERATION, MGMT & SUPERVISOR OF THE SNACK BAR LOCATED ON FIRST FLOOR OF CITY HALL; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 21. AUTHORIZE MAYOR &/OR SERV DIR TO: NEGOTIATE & ENTER INTO EASEMENT AGMTS W/AEP AUTHORIZE PLACEMENT OF TRANSMISSION POLES &/OR LINES ON OR OVER CITY PROP; NEGOTIATE FAIR MKT VALUE OF OR DONATE TO AEP THE EASEMENTS AUTHORIZING SAID PLACEMENT; MAKE TYPOGRAPHICAL CORRECTIONS OR EASEMENT DELINEATION ADJUSTMENTS BASED UPON NEGOTIATIONS & TRANSMISSION LINE PLACEMENT; EMERGENCY (E&PU)
- 2<sup>ND</sup> RDG 22. AUTHORIZE AUDITOR TO PAY \$63,530.25 TO STARK STATE COLLEGE; EMERGENCY (FIN)
- 218/2013** 23. ESTABLISH FAIR MKT VALUE OF REAL PROP; AUTHORIZE MAYOR &/OR SERV DIR OR THEIR DESIGNEE TO ENTER INTO AGMTS FOR PURCHASE/ACQUISITION OF PARCELS & TEMPORARY CONSTRUCTION EASEMENTS FOR MAHONING RD CORRIDOR PROJ; EMERGENCY (PPCI)

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE:****RECONSIDERED & AMENDED AS**

- 210/2013** 24. 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

**AMENDED AS**

- 219/2013** 25. AMEND O#209/2012; EMERGENCY (4 APPROP TRANSFERS AND 2 SUPP APPROPS - PURCHASING, ENGINEERING, MAINTENANCE, PARKS)
- 220/2013** 26. REPEAL SECTION 549.11, PERMIT FOR CONCEALABLE FIREARMS, OF THE CODIFIED ORDINANCES
- 221/2013** 27. AUTHORIZE THE SAF DIR TO ACCEPT AN ADVANCE FUNDING GRANT FROM THE OHIO DEPT OF PUBLIC SAFETY IN AN AMT NOT TO EXCEED \$1,500.00 AMENDING APPROP O#209/2012; EMERGENCY (FROM UNAPPROP BAL 2786 POLICE EMS GRANT FUND TO 2786 102001 POLICE ADMIN - OTHER)
- 222/2013** 28. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT WITH MURPHY TRACTOR & EQUIP CO., INC. FOR PURCHASE OF ONE JOHN DEERE 650K BULLDOZER WITH ACCESSORIES IN AN AMT NOT TO EXCEED \$150,000.00 PURSUANT TO O.R.C. SECTION 125.04; AMENDING APPROP O#209/2012; EMERGENCY (\$75,000.00 FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207022 WATER DISTRIBUTION FUND - OTHER)

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

**223/2013** 29.    AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH H-P PRODUCTS (H-P) TO ACCEPT THE DONATION OF A 3.81 ACRE, MORE OR LESS, TRACT OF LAND; CANTON ACCEPTS THE DONATION OF \$80,000.00 IN VALUE OF REAL PROP FROM H-P; EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, DECEMBER 2, 2013 in Council Caucus Room at 6:15 P.M.**

- 1) Finance Committee
- 2) Public Safety & Thoroughfares Committee
- 3) Judiciary Committee
- 4) Community & Economic Development Committee
- 5) Personnel Committee
- 6) Public Property Capital Improvement Committee

**MISCELLANEOUS BUSINESS:** Member Cirelli is pleased about Kevin Monroe's purchase of the salt. He is a very conscience employee. He takes calls on nights and weekends and cares about the city. She also requested a moment of silence for Thelma Slater who passed away at 92 years old. Ms. Slater had served on the Mayor's Literacy Commission under several Mayor's. Member Griffin informed all that the city won two awards at the Wilson Sporting Goods award ceremony in Oklahoma City. The city achieved a 100% for the girls fast pitch softball tournament in which 29 teams were involved. Because of this outstanding award the city will now be hosting the 2014 East Class C Men's fast pitch and the 2015 Class B girls at Willig Field. Mayor Healy stated that Munson Stadium was once on the verge of being torn down and now there are tournaments held there as well. He also discussed a press release that was going out for the acceptance of a grant for the Fair Housing Department. Kyle Stone worked on this and only a handful of cities in the state received them.

**ADJOURNMENT:** 8:16 PM

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, DECEMBER 2, 2013 @ 7:30 PM**