

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

DECEMBER 2, 2013

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: President Schulman and Member Mack Absent

INVOCATION: Mary Cirelli, Council-at-Large Member

PLEDGE OF ALLEGIANCE: President Pro Tem David Dougherty

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#7, O#8, O#10 - O#20; O#6 & O#9 Retained in Committee; O#20 Adopted as Amended in 2nd Rdg; O#23 Defeated; O#24 Adopted as Amended; O#26 Adopted as Amended; O#218/2013 (O#27) Reconsidered and Adopted as Amended)

PUBLIC HEARINGS:

7:30 PM AN ORDINANCE VACATING A PORTION OF GROVE PLACE SW; AND DECLARING THE SAME TO BE AN EMERGENCY (AULTMAN HEALTH FOUNDATION - 20' WIDE FROM THE WEST LINE OF LOT 16058 TO THE EAST LINE OF LTS 16059 AND 10270 IN WARD 3 - PLANNING COMMISSION RECOMMENDED APPROVAL)
(0 Speakers) **O#226/2013**

7:31 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (ROBERT TABOR - 1809 22ND ST NE FROM R-2 (TWO FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS) IN WARD 9 - PLANNING COMMISSION RECOMMENDED APPROVAL)
(3 Speakers) **DEFEATED**

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

PUBLIC SPEAKS (CITY BUSINESS): Jonathan Bailey re: Discussed bicycle thefts in the City; Bruce Nordman re: Asked that the handout that he passed out last week be reviewed. Advised that he is initiating a grand Easter parade; Leroy Lynch re: Discussed an article that he read in the paper about minority hires and does not feel that it is fair to the deaf community; Jack Hawk re: Expressed his dismay that there are no deaf workers in Stark County government. Also stated that he feels that the Civil Service test be conducive to the deaf. Stated that there is a need for smoke detectors for deaf people. Advised that Leroy will be the deaf Santa at North Canton High School on Friday. Also invited everyone to the Canton Club on Friday at 1:30 where 14 seniors will relay a lot of great ideas about what they should do with the Hercules building.

INFORMAL RESOLUTIONS:

59. PERSONNEL COMMITTEE: REQ APPRVL OF APPT OF DEBORAH SHAMLIN TO FAIR EMPLOYMENT PRACTICES BOARD FOR TERM OF 1/1/14 - 12/31/16. - ADOPTED

60. PERSONNEL COMMITTEE: REQ APPROVAL TO RE-APPT OF THOMAS LAROCHELLE TO FAIR HOUSING COMMISSION FOR RETRO TERM OF 9/1/13 - 8/31/18. - ADOPTED

COMMUNICATIONS:

469. ANNEXATION CHAIR HAWK: REQ TO INITIATE STATEMENT OF SVCS FOR TASOS ELECTRIC ANNEXATION IN PLAIN TWP. - ANNEXATION COMMITTEE

470. COURT ADMINISTRATOR KOCHERA: RECEIPT OF MUNICIPAL COURT'S ANNUAL PROBATION SERVICES FUND REPORT FOR 2013. - RECEIVED & FILED

471. LIQUOR CONTROL DIVISION: REQ NEW D5 LIQ PERMIT FOR DST HALO LLC DBA TAPAS 218 @ 218 COURT AV. - RECEIVED & FILED

472. LIQUOR CONTROL DIVISION: REQ NEW C1 C2 LIQ PERMIT STOCK TRANSFER FOR ABU JASIM LLC DBA MAGGORIES DRIVE THRU 23 @ 3060 W TUSCARAWAS. - RECEIVED & FILED

473. MAYOR HEALY: REQ APPRVL OF APPT OF DR. AMY LAKRITZ TO CANTON CITY BOARD OF HEALTH RETRO FROM 10/9/13 - 5/2/15. - PERSONNEL COMMITTEE

474. MAYOR HEALY: ADVISING OF APPT OF PASTOR MICHAEL LAMONT MILES I TO MAYOR'S COMMUNITY RELATIONS COMMISSION FROM 11/26/13 - 6/30/15. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

1ST RDG 1. AMEND APPROP O#209/2012; EMERGENCY (\$0.03 APPROP TRANS FROM 4501 801001 AUDITOR - OTHER TO 4501 201004 2006 CONSTRUCT/RECONSTRUCT BOND - OTHER AND \$20,000.00 APPROP TRANS FROM 1001 702001 CLERK OF COURTS - PERSONNEL TO 1001 802001 AUDITOR - CLERK OF COURTS ATM - OTHER)
Referred to Public Property Capital Improvement Committee

1ST RDG 2. AUTHORIZE MAYOR &/OR SERV DIR TO ACCEPT FUNDS IN AMT NOT TO EXCEED \$349,500.00 FROM THE 2013 FAIR HOUSING AGENCY PARTNERSHIP GRANT; AUTHORIZE AUDITOR TO ESTABLISH & CREATE THE 2216 FHAP FY13 PARTNERSHIP PROJ GRANT FUND; EMERGENCY
Referred to Finance & Personnel Committees

1ST RDG 3. AUTHORIZE AUDITOR TO RENAME THE 2530 PARK SPECIAL REVENUE/PROJ FUND TO 2530 PARK OPERATIONS AND SPECIAL REVENUE/PROJ FUND; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 4. AUTHORIZE AUDITOR TO PAY \$20,740.00 TO TRUCK SALES & SERVICE INC; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. AUTHORIZE MAYOR &/OR SERV DIR &/OR PARK COMMISSION TO APPLY FOR, ENTER INTO AGMT FOR, & REC FUNDS FROM MULTIPLE POTENTIAL FUNDING SOURCES DURING 2014 FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS; EMERGENCY
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#7, O#8, O#10 - O#20; O#6 & O#9 RETAINED; O#20 ADOPTED AS AMENDED)****RETAINED**

- IN CMTE** 6. AMEND CHAP 917, TREES, OF THE CODIFIED ORDINANCE OF THE CITY OF CANTON (JUD)
- 2ND RDG 7. AMEND APPROP O#209/2012, AS NEEDED, BY MAKING SUPP APPROP & INTERFUND ADVANCE & INTERFUND ADVANCE REPAYMENTS (\$35,616.00 BYRNE GRANT FUNDS) (FIN)
- 2ND RDG 8. 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 11TH ST SE) (C&ED)

RETAINED

- IN CMTE** 9. AMEND APPROP O#209/2012 BY MAKING A \$145.14 INTERFUND TRANSFER FROM 1001 301001 - OTHER TO 2312 301001 - OTHER; EMERGENCY (HEALTH DEPT) (FIN)
- 2ND RDG 10. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT WITH STARK COUNTY PUBLIC DEFENDER COMMISSION FOR PROVISION OF LEGAL SERV TO INDIGENTS; EMERGENCY (FIN)
- 2ND RDG 11. AUTHORIZE AN AMENDMENT TO JACKSON-CANTON JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT; EMERGENCY (C&ED)
- 2ND RDG 12. APPROVING & ACCEPTING THE REPLATTING OF LOT 35853 AND PART OF LOT 35852; EMERGENCY (MR. & MRS. THOMAS FORBES @ 369 47TH ST NW) (PS&T)
- 2ND RDG 13. 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) (PS&T)
- 2ND RDG 14. 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) (PS&T)
- 2ND RDG 15. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$11,000.00 TO DESANTIS ENTERPRISES; EMERGENCY (C&ED)
- 2ND RDG 16. 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) (FIN)
- 2ND RDG 17. 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 (FIN)
- 2ND RDG 18. 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 (PPCI)
- 2ND RDG 19. 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) (PER)

AMENDED

- 224/2013** 20. 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 (FIN)

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

- 225/2013** 21. 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
- 226/2013** 22. 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)

PUB HRG 12/2/13 @ 7:30 PM

- DEFEATED** 23. AMEND O#55/77, AS AMENDED, KNOWN AS ZONING ORDINANCE; EMERGENCY (REZONE 1809 22ND ST NE FROM R-2 (TWO FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS) FOR ROBERT TABOR)

PUB HRG 12/2/13 @ 7:31 PM

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

227/2013 24. 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

228/2013 25. 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

AMENDED

229/2013 26. AUTHORIZE AUDITOR TO PAY \$63,530.25 TO STARK STATE COLLEGE; EMERGENCY

RECONSIDERED & AMENDED

218/2013 27. 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, DECEMBER 9, 2013 in Council Caucus Room at 6:30 P.M.**

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

MISCELLANEOUS BUSINESS: Member Cirelli re: Asked the Safety Director to speak to someone about getting the smoke detectors for the deaf; Safety Director Perry re: Wished Service Director Bartos a Happy Birthday; Clerk Timberlake re: Welcomed Mike McEnaney from the Treasurer's Office to the Council Meeting; Member West re: Asked if something could be done with the air.

ADJOURNMENT: 8:24 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, DECEMBER 9, 2013 @ 7:30 PM