

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

FEBRUARY 3, 2014

ROLL CALL: All Council Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Chris Smith, Ward 4 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#10 & O#11; 2nd Rdg O#12 - O#20; Adopt O#10 & O#11 on 1st Rdg as Amended; O#13, O#16 & O#20 Adopted on 2nd Rdg; O#1/2014 & O#2/2014 Reconsidered and Adopted)

PUBLIC HEARINGS: None

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

PUBLIC SPEAKS (CITY BUSINESS): C. David Morgan discussed recognition and how the lack of recognition can hinder work relations. Pete DiGiacomo says that bids should be accepted from local dealerships for vehicles as well as the State Coop agreement to present the best deals to Council. Leroy Lynch took a test for the city school system but no interpreter was present. There needs to be improvements for handicap persons taking the Civil Service test including deaf and blind persons. Lois DiGiacomo Jacobson is one of the founding members of Coming Together Stark County. She was asking Members of Council to provide her with any information regarding Hispanics and Native Americans in the community to help her write her next play. This information can be sent to her at comingtogetherstarkcounty.org or lois.rainbow1@gmail.com. Jack Hawk asked Lois DiGiacomo to consider a play on handicaps as part of the diversity in the community. He also stated that according to the Civil Rights Act of 1964 there should be exceptions for people with low English proficiency when taking the Civil Service Exam. A deaf person will never pass this test as given.

INFORMAL RESOLUTIONS:

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| 11. | PERSONNEL COMMITTEE: | REQ APPRVL OF APPT OF CATHY WYATT TO ARCHITECTURAL REVIEW BOARD FROM 1/1/14 - 12/31/16. - ADOPTED |
| 12. | PERSONNEL COMMITTEE: | REQ APPRVL OF APPT OF STEVE COON TO ARCHITECTURAL REVIEW BOARD FROM 1/1/14 - 12/31/17. - ADOPTED |

COMMUNICATIONS:

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| 46. | AUDITOR MALLONN: | CERTIFICATE OF TOTAL AMT FROM ALL SOURCES FOR 2014. - RECEIVED & FILED |
| 47. | COURT ADMIN KOCHERA: | REQ \$8,000.00 APPROP TRANSFER FROM 2767-701001 COMM SANCTIONS GRANT FUND - PERSONNEL SERV TO 2767-701001 COMM SANCTIONS GRANT FUND - OTHER FOR CONTINUED OPERATION OF COURTS. - FINANCE COMMITTEE |
| 48. | HEALTH COMMISSIONER ADAMS: | REQ \$165.00 MORAL OB BE PAID TO EA GROUP FOR SERVICES IN RELATION TO THE AIR POLLUTION DEPT. - FINANCE COMMITTEE |
| 49. | HEALTH COMMISSIONER ADAMS: | REQ TO AMEND O#264/2013 WITH FIVE GRANT APPROPS (AIR POLLUTION, WIC, HIV, IAP, DENTAL SEALANT). - FINANCE COMMITTEE |
| 50. | SAFETY DIRECTOR PERRY: | AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO PROF SERV CONTRACT WITH ACCUMED BILLING INC FOR EMS BILLING SERV FOR FIRE DEPT AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE |
| 51. | SERVICE DIRECTOR BARTOS: | AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO VARIOUS CONTRACTS FOR MOWING DESERTED/VACANT LOTS THROUGHOUT THE CITY AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE |
| 52. | SERVICE DIRECTOR BARTOS: | AUTHORIZE MAYOR AND/OR SERV DIR ADVERTISE, REC BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO NEGOTIATE & SECURE SANITARY SEWER EASEMENTS/PROP OWNERSHIP ON BEHALF OF CITY AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (MAIN CT, 3 RD ST SE TO 2 ND ST SE). - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE |

COMMUNICATIONS CONTINUED:

53. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH LEONARD INSURANCE SERV AGENCY, INC IN AMT NOT TO EXCEED \$58,000.00 FOR 1 YR BUILDER'S RISK INSURANCE POLICY FOR WATER RECLAMATION FACILITY PHOSPHORUS/TOTAL NITROGEN REMOVAL & MISC IMPROVEMENT PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS AND REQ \$58,000.00 SUPP APPROP FROM UNAPPROP BAL 5410 SEWER OPERATING FUND TO 5410 206005 OPERATION & MAINTENANCE - OTHER. - FINANCE COMMITTEE
54. SERVICE DIRECTOR BARTOS: REQ COUNCIL RATIFY NEW COLLECTIVE BARGAINING AGMT BETWEEN AFSCME LOCAL 3449 AND CITY OF CANTON, EFFECTIVE 1/1/14 - 12/31/16. - FINANCE & PERSONNEL COMMITTEES
55. SERVICE DIRECTOR BARTOS: REQ COUNCIL RATIFY NEW COLLECTIVE BARGAINING AGMT BETWEEN AFSCME LOCAL 2937 AND CITY OF CANTON, EFFECTIVE 1/1/14 - 12/31/16. - FINANCE & PERSONNEL COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE THE CITY AUDITOR TO PAY \$5,000.00 TO COHHIO; EMERGENCY
Referred to Finance Committee
- 1ST RDG 2. AUTHORIZE MAYOR AND/OR SAF DIR TO ADVERTISE, REC BIDS AND ENTER INTO CONTRACT (S) FOR LEASING OF FOUR UNMARKED POLICE VEHICLES IN AMT NOT TO EXCEED \$106,000.00; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 3. AUTHORIZE THE DISCHARGE OF DEMOLITION LIEN, ASSESSMENTS, PENALTIES AND INTEREST ON THE PROP LOCATED AT 1461 9TH ST NE, REAR; EMERGENCY
Referred to Finance Committee
- 1ST RDG 4. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR REMOVAL OF NOXIOUS WEEDS AND DEBRIS; EMERGENCY
Referred to Environmental & Public Utilities Committee
- 1ST RDG 5. RESOLUTION DECLARING THE NECESSITY & INTENT OF CITY OF CANTON TO APPROP PROP WITHIN ITS CORP LIMITS PURSUANT TO OHIO REVISED CODE CHAP 719 FOR PURPOSE OF ACQUIRING WARRANTY DEEDS, STANDARD HIGHWAY EASEMENTS, UTILITY EASEMENTS AND/OR TEMP EASEMENTS FOR MAHONING ROAD NE CORRIDOR PROJ, PHASE 1; EMERGENCY
Referred to Environmental & Public Utilities Committee
- 1ST RDG 6. AMEND SECTION 105.11, STATE COOP PURCHASING WITH ADMINISTRATIVE SERV AND REPEALING SECTION 105.13, STATE COOP PURCHASING WITH ODOT, OF CODIFIED ORDINANCES OF CITY OF CANTON
Referred to Judiciary Committee
- 1ST RDG 7. AMEND APPROP O#264/2013; EMERGENCY (\$338,699.42 FROM UNAPPROP BAL OF 2113 MUNI ROAD FUND TO 2113 202001 MUNI ROAD - ENGINEERING ADMIN - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 8. AMEND EXHIBIT A OF O#250/2013; EMERGENCY (12TH ST CORRIDOR PROJ, GP 1098)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 9. AMEND CHAP 181, INCOME TAX, OF CODIFIED ORDINANCES OF CITY OF CANTON
Referred to Judiciary Committee

(COUNCIL RECESSED AT 8:03 P.M. FOR THE FINANCE AND PERSONNEL COMMITTEES TO DISCUSS ORDINANCES #10 AND #11; RECONVENED AT 8:10 P.M.)

AS AMENDED

- 3/2014 10. APPROVE A THREE-YR COLLECTIVE BARGAINING AGMT BETWEEN THE CITY OF CANTON AND LOCAL 3449 AND OHIO COUNCIL 8; EMERGENCY
Referred to Finance and Personnel Committees

AS AMENDED

- 4/2014 11. APPROVE A THREE-YR COLLECTIVE BARGAINING AGMT BETWEEN THE CITY OF CANTON AND LOCAL 2937 AND OHIO COUNCIL 8; EMERGENCY
Referred to Finance and Personnel Committees

ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#12 - O#20; O#13, O#16 & O#20 ADOPTED)

- 2ND RDG 12. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$44,846.24 TO THE TREASURER OF STATE OF OH; EMERGENCY

(FIN)

ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 5/2014** 13. AUTHORIZE CANTON CITY BD OF HEALTH &/OR THE HEALTH COMMISSIONER TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR PURCHASE OF ONE VEHICLE FOR HEALTH DEPT; EMERGENCY (PPCI)
- 2ND RDG** 14. AUTHORIZE CITY AUDITOR TO PAY \$1,200.00 TO COTTRILL WRECKING CO; EMERGENCY (FIN)
- 2ND RDG** 15. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT WITH LEBANON FORD FOR THE PURCHASE OF ONE 4-WHEEL DRIVE TRUCK W/A SNOW PLOW PACKAGE IN AMT NOT TO EXCEED \$27,595.50 & W/BOB ROSS BUICK FOR THE PURCHASE OF 3 STANDARD SIZE TRUCKS (GMC SIERRA 1500 IN TOTAL AMT NOT TO EXCEED \$59,977.50 PURSUANT TO ORC SEC 125.04; EMERGENCY (PPCI)
- 6/2014** 16. AMEND EXHIBIT A OF O#218/2013; EMERGENCY (MAHONING RD NE CORRIDOR PROJ) (PPCI)
- 2ND RDG** 17. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR PURCHASE OF VARIOUS VEHICLES FOR SANITATION DEPT; AUTHORIZE DIR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO STATE COOP PURCHASING AGMT; EMERGENCY (PPCI)
- 2ND RDG** 18. AMEND O#120/2013; EMERGENCY (12TH ST N. CORRIDOR PROJ) (PPCI)
- 2ND RDG** 19. AUTHORIZE LAW DIR TO APPROPRIATE REAL PROP IN CONJUNCTION W/12TH ST N CORRIDOR PROJ GP 1098; EMERGENCY (PPCI)
- 7/2014** 20. AUTHORIZE MAYOR, SVC &/OR SAF DIR TO COMPLETE CONTRACTING PROCESS FOR VARIOUS CONTRACTS PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY 1/1/14; EMERGENCY (FIN)

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

- 1/2014** 21. AUTHORIZE SAF DIR TO ENTER INTO CONTRACT W/PENN CARE MEDICAL IN AMT NOT TO EXCEED \$476,602.00 FOR THE PURCHASE OF TWO MEDIUM DUTY MEDIC UNITS FOR THE FIRE DEPT PURSUANT TO ORC SEC 125.04; AMEND APPROP O#264/2013 FROM UNAPPROP BAL OF THE 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 103001 FIRE ADMIN - OTHER; EMERGENCY

RECONSIDERED

- 2/2014** 22. AUTHORIZE SVC & SAF DIRS TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR SUPPLY ITEMS, MATERIALS & PROF OF SAID ITEMS PURSUANT TO THE STATE COOP PURCHASING AGMT; ORC SEC 735.05, NONPROFIT AGENCIES &/OR ODOT PURCHASING AGMT: EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, FEBRUARY 10, 2014 in Council Caucus Room at 6:15 PM**

- 1) Public Property Capital Improvement Committee
- 2) Environmental and Public Utilities Committee
- 3) Judiciary Committee
- 4) Finance Committee

MISCELLANEOUS BUSINESS: Member Dougherty discussed a call that had come into the Council Office which was taken by the Clerk. A lady wanted to express her appreciation for Joe Coram the owner of Canton Towing for all of his help. She had been robbed the previous week after coming to Canton to purchase a car and Mr. Coram was kind enough to provide a hotel room, food and transportation for her during this ordeal. Mr. Coram said that all he thought about was what if that was my Mom, sister or daughter. He felt it was the right thing to do. Member Smith stated that 3 families in her Ward were completely burned out and the houses were being demolished today. She will have a list of items they are in need of at the next meeting. Member Hart has received calls about events at the Civic Center. The floors are all sticky and they continue to get worse. Service Director Bartos states that there is a management agreement with SMG for the Civic Center and he will pass along the complaint information. Member Hart thanked everyone who donated coats and boots. He also wanted to thank the Police Department for a very rapid response last week when a female he knows that was working at Babyland was robbed at gunpoint. The Police were there within minutes. Member Smith thanked all for participating in the fundraiser for "Sarge" Easley on Saturday. This was very successful and the food was great. Thanks to Member Smuckler for his donation. Law Director Martuccio thanked all Council Members for being so giving to those less fortunate. He will follow up on the request from Leroy Lynch and Jack Hawk but that is a Federal Executive Order and will need researched. Mr. Martuccio will be happy to help correct any problems. Member West is withdrawing his candidacy for Majority Leader of Council. It is time to move on and get behind Member Morris. This has always been about the process and reaching 7 votes. Member Mack thanked Member West while they still disagree on the interpretation of things, they still agree on the resident's concerns. He made a motion to ratify and confirm Member Morris Majority Leader of Council. Law Director Martuccio has received several calls from Council Members about this process. This decision reinforces both positions as shared by President and Law Director. President Schulman felt he misspoke 3 weeks ago and did not think about his words. He singled out Vince Watts and put words into his mouth. He now wants to publically apologize. President Schulman does not feel this is a diversity issue anymore but an equality issue from the rich to the poor in this community.

ADJOURNMENT: 8:40 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, FEBRUARY 10, 2014 @ 7:30 PM