

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

MARCH 3, 2014

ROLL CALL: All Council Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: William Smuckler, Council-at-Large Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#6; 2nd Rdg O#7 - O#17; O#6 adopted on 1st Rdg; O#8, O#9, O#14, O#15 adopted on 2nd Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Leroy Lynch spoke of a 4" deep pothole that he encountered on Cleveland Ave. on January 14, 2014 in which he broke 3 wheels. He referenced the numerous potholes on Cleveland Ave. and explained that he contacted the City and spoke to the Law Department. He filled out the claims paperwork but had heard nothing. His car is still sitting at his house still in need of repair. He is upset that it has been two months and still nothing has been done with his claim. He does not want a mess like he had when he lost his job. Jack Hawk spoke about President Clinton's Executive Order on Civil Service Exams for the hearing impaired. He is waiting to speak with the Law Director about the direction they are going in for people with disabilities taking the Civil Service Exam. He has been waiting to speak to the Law Director before he speaks with Civil Service about this topic. He spoke about smoke detectors for the hearing impaired being much more costly than regular smoke detectors. Jack Trickett wanted to know who, when, and why the City of Canton installed a water line in Hartville. He asked what the cost of it was and where the money came from. He spoke about 224 E. Maple St. in Hartville having a well and a 300 ton water tank with 5 hook ups. He wanted to know why the City of Canton did not consider using this facility. He feels that we can save a lot of money if we considered this location which has a sufficient amount of water for Hartville residents.

INFORMAL RESOLUTIONS:

15. COUNCIL-AS-A-WHOLE: COMMENDING OFFICER JOSEPH BAYS AS THE 2014 POLICE OFFICER OF THE YEAR. - ADOPTED

COMMUNICATIONS:

90. APPLICANT, RALPH BYRD, JR.: REQ VAC OF A PORTION OF HUDSON PL. SW LYING BETWEEN 133 - 18TH ST. SW AND 133 HUDSON PL. SW. APPROX 190' IN LENGTH. - PLANNING COMMISSION
91. AUDITOR MALLONN: REQ FOR ADDTL AMENDED CERT. DATED 2/20/14. - RECEIVED & FILED
92. LAW DIR MARTUCCIO: AUTH TO PREP LEGISLATION TO ENTER INTO CONTRACTS FOR PROSECUTORIAL SERVICES FOR SEVEN AREA CITIES & VILLAGES. - FINANCE COMMITTEE
93. MAYOR HEALY: REQ APPT OF TIM PORTER TO THE TAX INCENTIVE REVIEW BOARD RETROACTIVE TO 1/1/2014 - 12/31/2015. - PERSONNEL COMMITTEE
94. MAYOR HEALY: REQ AUTH OF REAPPT OF JOANNE PAULINO TO THE TAX REVIEW BOARD FOR TWO-YEAR TERM RETROACTIVE TO 1/1/14 - 12/31/2015. - PERSONNEL COMMITTEE
95. SERV DIR BARTOS: REQ LEGISLATION THAT DOES THE FOLLOWING: ENTER INTO PROF SERVICES CONTRACT WITH M-E COMPANIES TO PREPARE PLANS, PERFORM FULL TOPOGRAPHIC SURVEY & OBTAIN NECESSARY PERMITS IN THE AMT OF \$62,811.00 FROM UNAPPROP BAL OF 5201 WATER FUND (\$62,811.00) TO 5201 207026 - HARTVILLE WATER MAIN EXTENSION - OTHER (70507) \$62,811.00; AUTH AUDITOR TO DRAW WARRANTS UPON RECPT OF VOUCHERS DULY APPROVED BY PROPER DPT AUTH. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
96. SERV DIR BARTOS: REQ LEGISLATION THAT DOES THE FOLLOWING: APPROP \$10,419.05 FROM UNAPPROP BALANCE OF 5205 PHASE I WATER IMPROVEMENT FUND (\$10,419.05) TO 5205 207022 - PHASE I WATER IMPROVEMENT FUND - OTHER (74714) \$10,419.05; AUTH AUDITOR TO DRAW WARRANTS UPON RECPT OF VOUCHERS DULY APPROVED BY PROPER DPT AUTH. - FINANCE COMMITTEE
97. SERV DIR BARTOS: REQ LEGISLATION CONSENT AGMT WITH ODOT CITY BRIDGE INSPECTION & INVENTORY; REQ AUTH FOR MAYOR AN/OR SERV DIR TO ENTER INTO COOP AGREEMENT WITH ODOT TO PERFORM FUNCTION OF BRIDGE INSPECTIONS. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

COMMUNICATIONS CONTINUED:

98. SERV DIR BARTOS: REQ LEGISLATION FR WATER RECLAMATION FACILITY STIPENDS REQ ESTABLISHMENT OF ONE (1) \$6,500.00 ANNUAL STIPEND TO BE PAID TO ANY INDIVIDUAL WHO SIMULTANEOUSLY HOLDS THE POSITIONS OF ASST SUPER & FACILITIES ENG OF THE WRF; ESTABLISHMENT OF ONE (1) \$6,500.00 ANNUAL STIPEND TO BE PAID TO ANY IND WHO SIMULTANEOUSLY HOLDS THE POSITION OF CHIEF OPERATOR & ONE (1) OF THE FOLLOWING THREE (3) ADDTL POSITIONS AT WRF: MAINTENANCE CHIEF, CHIEF CHEMIST, & INDUSTRIAL WASTE SUPERVISOR; AUTH FOR AUDITOR TO PAY THESE STIPENDS OUT OF THE 5410 206005 OPERATION & MAINTENANCE ORGANIZATION OF THE SEWER OPERATING FUND ON A BI-WEEKLY BASIS & AS AN ADDTL ITEM SEPARATE FROM THE AFFECTED EMPLOYEES' BASE PAY; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTH. - PERSONNEL & FINANCE COMMITTEES
99. SERV DIR BARTOS & SAF DIR PERRY: REQ LEGISLATION FR MGMT & NON-BARGAINING UNIT PERSONNEL MERIT-BASED PAY INCREASES; REQ AUTH TO INCREASE ANNUAL SALARY OF JAMES DIMARZIO, SUPERINTENDENT OF THE COLLECTIONS SYSTEMS DEPT TO \$95,190; AUTH TO INCREASE THE ANNUAL SALARY OF NICHOLAS LOUKAS, ASST CITY ENGINEER TO \$78,567; AUTH TO INCREASE THE ANNUAL SALARY OF KYLE STONE, FAIR HOUSING MANAGER TO \$52,099; AUTH FOR AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROP DEPT AUTH. - PERSONNEL & FINANCE COMMITTEES
100. SERV DIR BARTOS: REQ LEGISLATION FR SUPPLEMENTAL APPROP FOR REPLACEMENT SNOW PLOWS; REQ SUPP APPROP FROM UNAPPROP BAL OF THE 4502 MOTOR VEHICLE PURCHASES FUND (\$10,400.00) TO 4502 202210 - STREET MAINT - OTHER \$10,400.00. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
101. SERV DIR BARTOS: REQ LEGISLATION 105.04 EMERGENCY REPORT - 12TH ST. AND 25TH ST NW EMERGENCY REPAIRS REQ AUTH FOR AUDITOR TO PAY A MORAL OBLIGATION TO CENTRAL ALLIED ENTERPRISES, INC. FOR AN AMT NOT TO EXCEED \$86,544.60; AUTH FOR AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROP DEPT AUTH. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
102. SERV DIR BARTOS: REQ LEGISLATION FOR 37TH ST. NW WATERLINE REPLACEMENT & ROADWAY REHAB PROJ; AUTH FOR MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR THIS PROJECT(S); AUTH FOR MAYOR AND/OR SERV DIR TO EXECUTE A PROF SERVICES CONTRACT FOR CONST ENG SERVICES FOR THIS PROJECT(S); AUTH FOR CITY TO REC GRANT FUNDS IN THE AMT OF \$750,000.00 & ZERO PERCENT LOAN FUNDS IN THE AMT OF \$750,000.00 FOR THIS PROJ FROM THE OPWC; AUTH FOR AUDITOR TO EST & CREATE SEP FUNDS FOR TRACKING PROJ REVENUES & EXPENDITURES FOR WATER, ROADWAY, & SEWER PORTIONS OF PROJ & APPROP THE TOTAL OPWC FUNDING AMT OF \$1,500,000.00 AS FOLLOWS: AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY THE PROP DEPT AUTH; PLA SIGNED BY LOCAL TRADE ORGANIZATIONS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & ENVIRONMENTAL PUBLIC UTILITIES COMMITTEES
103. SERV DIR BARTOS: RECOMMENDATION FOR SEWER RATE INCREASE. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE WAGE INCREASE FOR MGMT & NON-BARGAINING UNIT PERSONNEL; AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN & SALARIES FOR MGMT & NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; EMERGENCY
Referred to Personnel & Finance Committees
- 1ST RDG 2. AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF LOT NUMBERS 9744, 9745, 9774, 9775, 43032, 43033, 43034, 43035, 43036, 43037, 43038, AND 43039 AND PART OF LOT NUMBERS 9743, 9746,& 9747; EMERGENCY
Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 3. AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, REV BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACTS FOR THE NAVARRE RD SANITARY & BRIDGE PROJ, GP 1159 & TO ENTER INTO AN AGMT WITH DOMINION EAST OHIO GAS FOR THE REQUIRED GAS LINE RELOCATION WORK; AMENDING APPROP ORD NO. 264/2013; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 4. AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIR OF PUBLIC SERV TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR THE 12TH ST N. CORR PROJ, GP 1098; EXECUTE A PROF SERVICES CONTRACT FOR CONSTRUCTION ENGINEERING SERVICES; REC VARIOUS GRANTS FROM THE STARK CTY AREA TRANSPORTATION STUDY & ODOT; REC A GRANT FROM THE OH PUBLIC WORKS COMMISSION IN THE AMT OF \$1,500,000.00; AMENDING APPROP ORDINANCE NO. 264/2013; EMERGENCY
Referred to Public Property Capital Improvement Committee
- 1ST RDG 5. AN ORDINANCE AUTHORIZING MAYOR AND/OR DIR OF PUBLIC SERV TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACTS FOR THE MAHONING RD. CORR, STA-SR153-1.70, G.P. 1103; EXECUTE A PROF SERVICES CONTRACT FOR CONSTRUCTION ENGINEERING SERVICES; REC VARIOUS GRANTS FROM THE STARK CTY AREA TRANSPORTATION STUDY & OHIO DEPT OF TRANSPORTATION ; REC A GRANT FROM THE OH PUBLIC WORKS COMM IN THE AMT OF \$600,000.00 & A LOAN OF UP TO \$900,000.00; AMENDING APPROP ORD NO. 264/2013; EMERGENCY
Public Property Capital Improvement Committee

(COUNCIL RECESSED AT 7:48PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #6; RECONVENED AT 7:54PM)

- 29/2014 6. AN ORDINANCE AUTH MAYOR AND/OR DIR OF PUBLIC SAFETY TO ENTER INTO A ONE-YEAR PROF SERVICES CONTRACT WITH T.A.C. COMPUTER, INC. IN AN AMT NOT TO EXCEED \$20,725.20 FOR THE CAD/RMS/JMS/MDT/FBR SUPPORT & MAINTENANCE FOR THE SAFETY FORCES; EMERGENCY
Referred to Finance Committee

ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#7-O#17; O#8, O#9, O#14, O#15 ADOPTED)

- 2ND RDG 7. AUTHORIZE SERV DIR TO PURCHASE NEW PM2.5 AIR MONITORING EQUIP FOR AIR POLLUTION CONTROL DEPT; EMERGENCY (FIN)
- 30/2014 8. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO SEPARATE AGREEMENTS WITH THE OHIO POWER COMPANY, AKA AEP, IN AN AMT NOT TO EXCEED \$600,000.00; WITH TIME WARNER CABLE IN AN AMT NOT TO EXCEED \$36,523.00; AND WITH AT&T IN AN AMT NOT TO EXCEED \$115,127.00 FOR THE COMPENSATION FOR THE RELOCATION OF EXISTING OVERHEAD LINES INTO NEW UNDERGROUND FACILITIES; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; EMERGENCY (MAHONING RD.) (PPCI)
- 31/2014 9. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO SEPARATE AGREEMENTS WITH THE OHIO POWER COMPANY, AKA AEP, IN AN AMT NOT TO EXCEED \$62,876.72; WITH TIME WARNER CABLE IN AN AMT NOT TO EXCEED \$40,000.00 FOR THE COMPENSATION FOR THE RELOCATION OF EXISTING OVERHEAD LINES INTO NEW UNDERGROUND FACILITIES; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; EMERGENCY (12TH ST.) (PPCI)
- 2ND RDG 10. AUTHORIZING THE SERV DIR TO ENTER INTO A TWO-YEAR PROF SERVICES CONTRACT WITH RUSS KIKO ASSOCIATES, INC. FOR AUCTION SERVICES FOR THE SALE OF PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES & IMPOUNDED VEHICLES; EMERGENCY (FIN)
- 2ND RDG 11. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS, & ENTER INTO CONTRACT IN AN AMT NOT TO EXCEED \$350,000.00 FOR THE EVALUATION OF APPROX.1,720 WATER DISTRIBUTION VALVES; AMENDING APPROP ORDINANCE NO. 264/2013; EMERGENCY (FIN)
- 2ND RDG 12. AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; EMERGENCY (WATER DEPT. UTILITY OPR. 3, LABORER 2) (PER)
- 2ND RDG 13. AMENDING ORDINANCE NO. 120/2013; EMERGENCY (12TH ST RIGHT-OF-WAY ACQUISITIONS) (PPCI)
- 32/2014 14. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGREEMENTS WITH THE WHEELING & LAKE ERIE RAILWAY CO. & AKRON METRO REGIONAL TRANSIT AUTHORITY TO SECURE RIGHTS-OF-WAY FOR THE 12TH ST. N. CORR PROJ & FACILITATE IMPROVEMENTS TO THE EXISTING CROSSING; AMENDING APPROP ORDINANCE NO. 264/2013; EMERGENCY (PPCI)
- 33/2014 15. AUTHORIZE LAW DIR TO APPROPRIATE REAL PROPERTY IN CONJUNCTION WITH THE MAHONING RD. NE CORR PROJ, PHASE 1, G.P. 1103; EMERGENCY (E&PU)
- 2ND RDG 16. AMENDING CH. 155, DEPOSITORY & INVESTMENT PRACTICES, OF CODIFIED ORDINANCES (JUD & FIN)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 17. AUTHORIZING TREASURER TO ENTER INTO A PROF SERVICES AGREEMENT WITH UNITED AMERICAN CAPITAL CORP. FOR INVESTMENT ADVISORY SERVICES; EMERGENCY (FIN)

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

- 34/2014 18. AMEND APPROP O#264/2013; EMERGENCY (\$8,000.00 FROM 2767 701001 COMM SANCTIONS GRANT FUND - PERSONNEL SERV TO 2767 701001 COMM SANCTIONS GRANT - OTHER)
- 35/2014 19. AUTHORIZE THE CITY AUDITOR TO PAY \$165.00 TO EA GROUP; EMERGENCY
- 36/2014 20. AMEND APPROP O#264/2013; EMERGENCY (5 GRANTS FOR HEALTH DEPT)
- 37/2014 21. AUTHORIZE MAYOR AND/OR SAF DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR MAIN CT SE SANITARY SEWER REPLACEMENT PROJ, GP 1202 & TO NEGOTIATE AND SECURE THE SANITARY SEWER EASEMENTS/PROP OWNERSHIP ON BEHALF OF THE CITY; EMERGENCY

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

Presentation on Sewer Rate Study

MONDAY, March 10, 2014 in Council Caucus Room at 6:30 PM

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

MISCELLANEOUS BUSINESS: Member Hart mentioned that Muggswigz Coffee Shop was just voted one of the 10 best coffee shops in the nation. Member Hart also brought up Stark County Hunger Task Force and asked if when grocery shopping, the establishments may ask for donations and explained that a \$1.00 donation provides 14 pounds of food. He expressed that this was the best investment we can make in our community. He referenced an anonymous Member of Council that has provided at least a million pounds of food through their donations to Stark County Hunger Task Force. Member Hawk addressed Mayor Healy & Saf Dir Perry regarding the amount of crime in the city. He stated that his garage has been broken into twice, his car has been stolen, his business burglarized, and last Saturday he came home to someone trying to kick in his back door. He questioned with all the grants provided for more officers, when the City would see more of a presence of officers. Saf Dir Perry answered that there are candidates that are currently undergoing psychological evaluations and background checks. She referred to Chief Lawver who stated that there should be about 13 more officers added which would take the force to approximately 160. Member West congratulated Chief-of-Staff Williams and Director Kirby Freeman for bringing in \$4.2 million to tear down more houses. Member West posed a question regarding purchasing the houses, and asked if we have to have a land bank of our own. Chief-of-Staff Williams replied that we will be working in conjunction with the existing Land Bank. He explained that with this grant we had to get permission from the Land Bank to apply for the funding that was available. Member West asked if the Land Bank will be purchasing the properties or if the City will. Chief-of-Staff replied the City of Canton will purchase property and hold title to properties working in conjunction with the Land Bank. Member Smith asked that we keep Viola Fisher's family in prayer as it was her grandson that was killed over the weekend. Serv Dir Bartos mentioned that with the 12th and 25th Street projects, Central Allied will be doing the work so local labor will be on the project. He addressed Mr. Trickett informing him that in about two weeks we would be having a presentation from Superintendent Converse and representation from Hartville should be there. Serv Dir Bartos spoke about the WRF sewer rate discussion and that when he said 999, he corrected himself that they were 9.5 and there were four of them. He mentioned when the original presentation were made on the 9.5's they were committed to going back to three's for the following year. Member West wanted to follow up on Communication #95 confirming that we already extended our water lines to Hartville, he asked if this is going beyond what we have already extended. Serv Dir Bartos replied that this is Phase III and now this third phase will allow us to provide even more water to the area. Clerk of Council introduced the Council's new hire Melissa Bowman.

ADJOURNMENT: 8:17 PM