

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

APRIL 14, 2014

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: President Schulman and Member Smuckler Absent

INVOCATION: John Mariol, Ward 7 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#5 - O#15; O#8 & O#15 Adopted on 2nd Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Kristin Robbins spoke on behalf of MDS thanking all for their support of the programs that help the youth. Terrence Jones thanked Lisa Miller and Director Freeman for all their help in the process and the support of MDS and all of the community programs for the youth. Bill Deiffenbaugher stated that the Street Department was working a lot of overtime in efforts to battle the potholes. They have laid over 2,000,000 pounds of asphalt since January. They only have 29 employees and so much equipment. He has never seen Canton's roads like this and they keep getting pulled to the route for the Marathon and also other emergencies. Tim Porter has a neighbor who's house was broken into. He found the people who were in the house walking down Shorb Ave and the police did get them. The oldest was a 14 year old kid. The police need to enforce the curfew because this could have resulted in 3 dead kids who were out after midnight. Mr. Porter has seen the road crews out and thanks them for trying to get the potholes filled. Pete DiGiacomo says there are homes that have been on the demolition list for over a year. He also addressed Asplund, the company that does the tree cutting for AEP and how they have been out trimming but leaving a mess behind. There are places that they have left large parts of trees and he was wanting to know who's job it is to clean this up. Marcia Zawacky talked about property demolitions also. There is a home by her where the gentleman died 8 years ago and the house is still sitting there deteriorating. There is no family to care for this place and the taxes are just adding up. She thanked all of the services for their hard work over the long, hard winter months. She cannot image what it would have been like if the trash was not taken care of in the bitter cold. The city employees are some of the best. Ida Webb has a lot next to her that is in very bad shape. There are tree limbs on the ground and now there is trash being dumped. She thinks this is being neglected because it is in the southeast part of town. She is also upset that Community Service will no longer be able to mow her lawn. Betty Bradley lives in the flood zone. She knows there is money coming into Canton but none being used in that area. The city was supposed to be moving these people a while ago and nothing is happening. Leroy Lynch came to speak about the potholes. He made a complaint back on January 13, 2014 and just received a letter from the Law Department saying this claim will not be paid. They are now going back and forth between the Street Department and the Law Department. His insurance company said his rates may go up if he files a claim with them. Can someone please do something to help him and other members of the deaf community for situations like this. Christopher Leach is the Chairman of the SWIFT Neighborhood Association and he wanted to address the panhandling in the city. You cannot even get on or off of a highway without seeing someone with a sign begging. Is there something that can be done before someone gets hurt. Patricia Howard thanked all Council Members and administrations from the Neighborhood Council. She had all representatives from the Neighborhood Associations stand and be recognized. Jack Hawk spoke about the Civil Service meeting regarding the test for the deaf community. The Commission said that they would take a look at things but Mr. Hawk feels that it is time for all to give the disabled people a chance. There is not one disabled person working for the city. He asked if points could be issued to the disabled in the test in the same manner that they are given to a veteran. He wants to see how elected officials can help with this process. Gwen Corbett from the East Lincoln Highway Association thanked the city for all of the hard work with the snow over the winter but now there is a large problem with all of the potholes. Some have now become craters. She has not seen any workers come into her area and the people down there work hard on their properties and need some crews to come over and patch these roads.

INFORMAL RESOLUTIONS:

21. PERSONNEL COMMITTEE: REQ RE-APPT. OF MARC FIORENTINO, MD TO CANTON CITY BOARD OF HEALTH FOR RETRO TERM OF 4/1/14 - 3/31/19. - ADOPTED

COMMUNICATIONS:

160. ATTY BOND (MORELLO & BOND): REQ CONTINUANCE OF HRG FOR NEW C1 PERMIT FOR MORELLO'S PIZZA AND PASTA TO GO. - RECEIVED & FILED
161. CHIEF OF STAFF WILLIAMS: PROVIDE FOR THE REISSUE OF ADDITIONAL NOTE IN AMT NOT TO EXCEED \$1,800,000.00 FOR PURPOSE OF RETIRING DEBT ASSOCIATED WITH DEMOLITION GRANT PGM NOTES, SUPP APP FR: UNAPP BALANCE 1151 LAND REVITALIZATION & NOTE FUND TO: 1151 101501 CODE ENF ADMIN. - OTHER. - FINANCE COMMITTEE
162. DEV DIR FREEMAN: REQ RECOMMENDATION APPROVAL FOR FOUR (4) TIRC PER ENTERPRISE ZONE & COMMUNITY REINVESTMENT AREA TAX ABATEMENT GUIDELINES FOR GRANTEEES DOING BUSINESS IN CITY OF CANTON. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
163. LIQUOR CONTROL DIVISION (OHIO): CONTINUANCE GRANTED OF HRG FOR NEW C1 PERMIT FOR MORELLO'S PIZZA AND PASTA TO GO. - RECEIVED & FILED
164. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D5 PERMIT FOR SUNNY'S DRIVE THRU, LLC @ 1901 HARRISBURG. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

165. SAFETY DIR PERRY: AMEND ORDINANCE 24/2014 AUTHORIZING MAYOR AND/OR SAFETY DIR TO ADV, REC BIDS, & ENTER INTO CONTRACT FOR LEASING OF FOUR (4) UNMARKED POLICE VEHICLES NOT TO EXCEED \$120,000.00 FOR POLICE DEPT. LEASE WILL BE ANNUAL PYMT FOR (4) YRS - FIRST PYMT MADE W/FED FORFEITURE FUNDS & BEG IN 2015 PYMTS MADE FROM FUND 4502. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
166. SAFETY DIR PERRY: REQ LEGISLATION AUTH DIR OF PUBLIC SAFETY TO PAY MORAL OB FOR EMERGENCY DEMO OF 720 HARRIET NW IN AMT OF \$9,800.00. - FINANCE COMMITTEE
167. SERV DIR BARTOS: PROVIDE FOR ISSUANCE OF NOTE IN AN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,400,000.00 FOR PURPOSE OF REFUNDING BOND ANTICIPATION NOTES PREVIOUSLY ISSUED FOR PURPOSE PROVIDING FUNDS TO PAY COURT APPROVED SETTLEMENT OF CLAIM AGAINST CITY (PIROLOZZI). - FINANCE COMMITTEE
168. SERV DIR BARTOS: REQ AMENDMENT FOR CHPT 105, CONTRACTS, OF THE CITY OF CANTON CODIFIED ORDINANCES WHICH INCLUDE A REPEAL OF SECTION 105.08(B), (C), (D), AND (E); AMENDMENTS TO SECTION 105.12 (a), (b), (c), (d). - JUDICIARY COMMITTEE
169. SERV DIR BARTOS: REQ PARTICIPATORY COOP LEGISLATION WITH ODOT THAT WILL ALLOW STA-NAVARRE RD SIGNALS PID 76007, GP 1127 TO MOVE FORWARD SUPP APPROP OF \$20,000.00 FROM: UNAPPROP BAL OF 2113 MUNICIPAL ROAD FUND TO: 2113-202001 ENGINEERING ADMINISTRATION - OTHER; AUTH AUDITOR TO DRAW WARRANTS UPON RCPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTH.; EMERGENCY. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
170. SERV DIR BARTOS: AUTH FOR MAYOR AND/OR SERV DIR TO ENTER INTO AN AGMT WITH THE PUCO & AKRON METRO REGIONAL TRANSIT AUTH TO RCV THE \$95,000.00 GRANT FROM PUCO.; SUPP APPROP OF \$95,000.00 FROM: UNAPPROP BAL OF 4563 12TH ST N. CORR PROJ TO: 4563-202077 12TH ST. N. CORR PROJ, G.P. 1098 - OTHER; SUPP APPROP OF \$50,000.00 FROM: UNAPPROP BAL OF 5201 WATER WORKS OPERATING TO: 5201-202077 12TH ST. N. CORR PROJ, G.P. 1098 - OTHER; AUTH FOR AUDITOR TO ESTABLISH & CREATE THE 4573 (SIB LOAN, 12TH ST. N. CORR PROJ GP 1098) FUND FOR PURPOSES OF TRACKING PROJ REV & EXPEND; MAKE SUPP APPROP OF \$2,308,000.00 FROM: UNAPPROP BAL OF 4573 (SIB LOAN, 12TH ST. N CORR PROJ GP 1098) TO: 4573-202077 12TH ST. N CORR PROJ G.P. 1098 - OTHER; AUTH AUDITOR TO DRAW WARRANTS UPON RECPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTH.; EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
171. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR MARCH 2014. - RECEIVED & FILED
172. TREASURER PEREZ: RPT OF AMBULANCE LOCK BOX ACCT FOR MARCH 2014. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTH DIRECTOR TO ENTER INTO PROF SERV AGMT WITH czbLLC TO DEVELOP COMPREHENSIVE PLAN FOR CITY OF CANTON IN AMT NOT TO EXCEED \$350,000.00
Referred to Community & Economic Development Committee
- 1ST RDG 2. REQ \$43,383.50 SUPP APPROP FROM UNAPPROP BAL 4502 MOTOR VEHICLE PURCHASE TO 4502 101001 POLICE ADMIN - OTHER FOR RADIO EQUIP FOR POLICE DEPT
Referred to Public Property Capital Improvement Committee
- 1ST RDG 3. REQ \$10,513,168.28 SUPP APPROP FROM UNAPPROP BAL 5227 WATER METER/MTU REPLACEMENT FUND TO 5227 207030 WATER METER/MTU REPLACEMENT FUND - OTHER & AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS
Referred to Finance Committee
- 1ST RDG 4. AUTH CANTON TO ANNEX TERRITORY KNOWN AS TASOS ELECTRIC; APPROX 2.3921 ACRES; ASSIGNING TERRITORY TO WARD 9; ZONING TERRITORY AS I-1 LIGHT INDUSTRY; DECLARING THE SAME TO BE AN EMERGENCY _____ (PUB HRG 4/28/14 @ 7:30PM)
Referred to Annexation Committee

ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#5-O#15; O#8 & O#15 ADOPTED)

- 2ND RDG 5. AMEND APPROP O#264/2013; EMERGENCY (\$1,774.70 FROM UNAPPROP BAL 2525 MOTHER GOOSELAND FUND TO 2525 401060 MOTHER GOOSELAND - OTHER) (FIN)
- 2ND RDG 6. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR STADIUM PARK - HERBERT FISHER WALKING TRACK REPLACEMENT PROJ AND RECEIVE GRANT FUNDS FOR PROJ FROM TIMKEN FOUNDATION; AMEND APPROP O#264/2013; EMERGENCY (\$200,000.00 FROM UNAPROP BAL 2530 SPECIAL PARK REVENUE FUND TO 2530 401090 PARK REDEVELOPMENT - OTHER) (FIN)
- 2ND RDG 7. AMEND O#186/2013; EMERGENCY (PROJ AMTS FROM \$50,000.00 TO \$65,000.00 FOR HOME, ESG & CDBG FUNDS) (C&ED)
- 71/2014 8. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO VARIOUS CONTRACTS UTILIZING CDBG, HOME & ESG FUNDS; EMERGENCY (9 CONTRACTS) (C&ED)
- 2ND RDG 9. AUTHORIZE MAYOR TO FILE WITH HUD A 2014-2018 CONSOLIDATED PLAN FOR CDBG PROG, HOME INVESTMENT PARTNERSHIP PROG & EMERGENCY SHELTER GRANT PROG; AUTHORIZE MAYOR TO EXECUTE GRANT AGMTS WITH HUD AND TO ACCEPT FUNDING FOR THE CONSOLIDATED ONE YR ACTION PLAN FOR FISCAL YEAR 2014 FOR THE THREE PROGRAMS; EMERGENCY (C&ED)
- 2ND RDG 10. AMEND APPROP O#264/2013; EMERGENCY (\$200,000.00 FROM UNAPPROP BAL 2331 AIR POLLUTION CONTROL (APC) FUND TO 2331 APC - OTHER) (FIN)
- 2ND RDG 11. AMEND EXHIBIT A TO O#100/2011, AS AMENDED, CLASSIFICATION PLAN & SALARIES FOR MGMT & NON-BARGAINING UNIT EMPLOYEES OF CITY OF CANTON; EMERGENCY (ASST DIR OF PURCHASING TO EXEMPT) (PER)
- 2ND RDG 12. AUTHORIZE MAYOR AND/OR SERV DIR IN CONJUNCTION WITH CANTON PARK COMMISSION TO ENTER INTO COOP AGMT WITH STARK PARKS FOR PLANNING, DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE & SECURITY OF CANTON'S HIKE & BIKE TRAILS/ROUTE SYSTEM WITH CITY; EMERGENCY (PARK & REC)
- 2ND RDG 13. AUTHORIZE CITY AUDITOR TO PAY \$46,957.31 TO BEAVER EXCAVATING; EMERGENCY (FIN)
- 2ND RDG 14. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR THE EXTERIOR SURFACE PREPARATION, PRIMING & PAINTING OF THE BRENTWOOD WATER TOWER AND TO EXECUTE A PROF SERV CONTRACT FOR CONSTRUCTION OVERSIGHT SERV FOR PROJ AND AMEND APPROP O#264/2013; EMERGENCY (\$309,600.00 FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207022 WATER DISTRIBUTION - OTHER) (FIN)
- 72/2014 15. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT WITH JACK DOHENY CO IN AMT NOT TO EXCEED \$41,000.00 TO REPAIR THE VACUUM SYSTEM & REPLACE ENGINE ON SEWER COMBINATION VEHICLE (VACTOR); EMERGENCY (PPCI)

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

- 73/2014 16. AMEND EXHIBIT A TO O#100/2011, CLASSIFICATION PLAN & SALARIES FOR MGMT & NON-BARGAINING UNIT EMPLOYEES; EMERGENCY (FAIR HOUSING INVESTIGATOR AND EDUCATION/INTAKE SPECIALIST)
- 74/2014 17. AUTHORIZE AUDITOR TO PAY MORAL OB TO ASHWORTH HOME BUILDERS; EMERGENCY
- 75/2014 18. AMEND EXHIBIT A TO O#100/2011, CLASSIFICATION PLAN & SALARIES FOR MGMT & NON-BARGAINING UNIT EMPLOYEES; EMERGENCY (INCREASE SALARY FOR BLDG CODE CASUAL/SEASONAL INSPECTORS)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, April 21, 2014 in Council Caucus Room at 6:15 PM

- 1) Community & Economic Development Committee
- 2) Finance Committee
- 3) Annexation Committee
- 4) Public Property Capital Improvement Committee

MISCELLANEOUS BUSINESS: Member Fisher responding to Mr. Leach about panhandling stating there is a yes and no on the books and asked the Law Director to explain some more. He also invited all out to a Town Hall meeting on April 30th at 6:00 PM. This will be held at the church on Navarre and Scoville and Mayor Healy will be the guest speaker. Law Director Martuccio says there is an Ordinance on the books about panhandling but it is a portion of the First Amendment regarding Freedom of Speech. If a person is being aggressive and touches you or invades your space this can be an offense but panhandling quietly is not a problem. Member West thanked the Street Department for all of the hard work on Saturday on 12th Street. While this helps his Ward tremendously, he knows that people all over the city use 12th Street to get around. He knows that there are potholes in every Ward but he also knows that crews are out doing their best. Member Babcock informed all that former Service Director Warren Price's father passed away. (*MOMENT OF SILENCE OBSERVED*) Member Hart asked about money coming into the city for income taxes from the fracking jobs. Is there any way to track this? He asked which funds are being used to cover the salaries of the 8th floor employees. Also, will the bricks from 12th Street be stacked and used for other brick repairs rather than being taken to the landfill as this project is done. Member Smith thanked all of the Neighborhood Associations for coming out

tonight and all their hard work in the neighbors. The city would not be the same without all of their beautification efforts and caring for their neighborhoods. She also thanked Marilyn Thomas Jones. Member Mack stated that President Schulman asked him to apologize for his absence tonight. Service Director Bartos asked that Street Superintendent, Michael Rorar give a brief update on the status of the Street Department. Mr. Rorar said there will be a couple of other emergency repairs on 2nd Street and on 15th Street because they are too bad to patch correctly. The problem right now is that the potholes outnumber the people that are working to repair them. They are trying to catch up and trying to come up with a plan for the future to be more proactive than reactive but as everyone knows, this was the worst winter in a long time and has led to severe problems with the roads. Member West asked Mike Rorar how long he had been with the city. Superintendent Rorar says he has been on board now for 3 months. Member Morris asked what is a real time frame for these pothole fixes. There are constituents that blame the Members of Council for the repairs not taking place in areas where the potholes have been reported more than 30 or 45 days ago. Mr. Rorar says it would be safe to tell a citizen to expect a repair in a month. Right now the average is 16 days but they are still not getting the necessary "hot mix" and the road temperatures are varying so there are a lot of factors in these repairs. Member Mack says that while we are all living the pothole nightmare, his Ward had a particular house that was so bad the people could not even get in and out of their driveway. Superintendent Rorar actually went out to this property twice to try and help solve the problem. Member Mariol asked about the difference between the 4 ton hopper and a 1 ton dump truck in helping with the asphalt. Mr. Rorar said that the 4 ton hopper has a heating element so it can keep the asphalt hot at a location for a longer period of time as well as having a lot more asphalt at a site. The one ton truck has to abide by the legal hauling limits and then go back and forth to the plant for fresh asphalt several times a day. Member Dougherty asked how many guys on a crew and if all of them go back to the plant with the truck. Michael Rorar says that usually only the driver goes back and the others stay and prep the holes to be filled. Today they tried a new method with swapping trucks and having one at the plant to pick up. Law Director Martuccio says they have been trying to deal with all of the potholes and in the 1st quarter this year there have already been more claims than in the last 6 years combined. Only 20% of these claims will be paid based on the available resources that the city has to repair the roads. Service Director Bartos states that there will be a meeting tomorrow to award the mowing contracts. Superintendent Rorar says that the two companies that have been selected for mowing will be doing lots at \$12.00 and \$15.00 per lot. This should allow 2 mows each throughout the season. Member Hart says that the streets that were just stripped last year still have potholes. Why are we paying to put down more asphalt on these streets. Is there no way to go back on those contractors? Mr. Rorar says that a lot of the problem is the fact that the drainage on the streets has never been addressed and that leads to additional problems with potholes. Member Babcock asks if there are different grades of asphalt and doesn't our Engineering Department tell the contractors what to use. Superintendent Rorar says yes to both of those issues.

ADJOURNMENT: 8:47 PM