

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

CANTON CITY COUNCIL

MAY 5, 2014

**ROLL CALL:** All Council Members present.

**MOTION TO EXCUSE MEMBERS:** Not necessary

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

**PLEDGE OF ALLEGIANCE:** President Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add add 2<sup>nd</sup> Rdg O#6 - O#10; O#91/2014 Reconsidered and Amended; O#13 Adopted as Amended)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Bill Dieffenbacher: Works for City of Canton, Street Dept and represents AFSCME workers. From January 2014 through April 2014 there was 2 million tons of asphalt put down and the street department put in 1000 hours of overtime. Since April 14, they put down an additional 600 tons of asphalt and logged 877 ½ overtime hours. The only days they haven't worked were when there were 2 days of rain, 2 days for equipment repairs and the Saturday after Good Friday. They did, however, work on Good Friday. The average age of the workers is 50 years. They have various surgeries such as knees, shoulders, and back, but they continue to get the work done. They are maxed out on equipment and workers. The Water, WRF, Collections Depts are all working to try and fight the potholes. The workers are also upset with the street conditions. Jason Scaglione: There is a house on Wertz and 2<sup>nd</sup> Street that has been demolished but the debris is still sitting there. Nails, boards, wires are down. Kids can walk right up to everything. Another house was demolished today but debris from first house hasn't been removed. When he questioned this, he was told it was too wet to move. In-home day care workers must pay \$50.00 for fire inspections. They are already paying taxes so why should they have to pay an additional \$50.00 for the inspection, which only takes about 5-10 minutes. Checks are being made out to the "City of Canton". Would like to know where this money is going. Bruce Nordman: Thanks the Mayor, Administration and Council for adding the Cadets in both the fire and police departments. Would like to know what the rules are in regards to the staffing levels. How many retirees in both departments? Are we losing any money for not fulfilling the Moving Ohio Forward deadline of 5/31 that was placed by the State of Ohio. Did anyone walk through the Onesta Hotel on 1<sup>st</sup> Friday? Is there anything that the City can do to help with this project. Steve Coon has been very instrumental in the revitalization of Canton.

**INFORMAL RESOLUTIONS:**

24. CNCL AS A WHOLE: REQ ADMIN CONTRACT WITH GRANT WRITER. - ADOPTED

**COMMUNICATIONS:**

195. APPLICANT, ADAM LEVITT: REQ ZONE CHG OF 1133 WALNUT AVE NE, LOT NO. 17616, FOR FAMILY DOLLAR STORE. - PLANNING COMMISSION
196. APPLICANT, ADAM LEVITT: REQ ZONE CHG OF WALNUT AVE. NE & AMERMAN PL NE, LOT NO 17617, FOR FAMILY DOLLAR STORE. - PLANNING COMMISSION
197. APPLICANT, ADAM LEVITT: REQ ZONE CHG OF PIEDMONT AVE NE & AMERMAN PL NE, LOT NO. 17604, FOR FAMILY DOLLAR STORE. - PLANNING COMMISSION
198. AUDITOR MALLONN: REQ FOR ADDITIONAL AMENDED CERT DATED 4/28/14. - RECEIVED & FILED
199. AUDITOR MALLONN: MNTHLY RPT BY FUND 4/1/14 - 4/30/14. - RECEIVED & FILED
200. AUDITOR MALLONN: YRLY RPT BY FUND 1/1/14 - 4/30/14. - RECEIVED & FILED
201. CHIEF OF STAFF WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH CCIC TO ACCEPT DONATION OF 10 PROP HELD BY CCIC. - COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE
202. CHIEF OF STAFF WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO CONVEY 21 CITY OWNED PROP NO LONGER NEEDED FOR MUNI PURPOSES TO CCIC FOR ECONOMIC DEV PURPOSES. - COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE
203. CHIEF OF STAFF WILLIAMS: AUTHORIZE SERV DIR TO ENTER INTO JEDD WITH PLAIN TWP AND ENTER INTO MUTUAL ECONOMIC DEV AGMT. - COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE
204. LAW DIRECTOR MARTUCCIO: AUTHORIZE TO ENTER INTO CONTRACT WITH WALTER H. DRANE CO TO ASSIST IN RE-CODIFICATION OF ORD OF CITY OF CANTON IN AMT NOT TO EXCEED \$22,750.00. - FINANCE COMMITTEE
205. LIQUOR CONTROL DIV (OHIO): REQ STOCK TRAN OF D5 D6 PERMIT FOR SPORTS PAGE GROUP LLC DBA JERZEES SPORTS GRILLE & PATIO @ 2531 FULTON RD NW. - RECEIVED & FILED
206. LIQUOR CONTROL DIV (OHIO): REQ TRAN OF C1 C2 PERMIT FROM SHREE SHIVAM INC TO OM KARTHIKEYA LLC @ 2211 W TUSC RD. - RECEIVED &

FILED

**COMMUNICATIONS CONTINUED:**

207. MAYOR HEALY: INFORM COUNCIL THAT CITY WILL NOT ENTER PLA FOR WATERLINE REPLACEMENT AND ROADWAY REHAB PROJ FOR 37<sup>TH</sup> STREET N.W. - RECEIVED & FILED
208. MAYOR HEALY: RE-APPT OF MS. NIKI DICOLA TO THE INCOME TAX REVIEW BOARD FOR RETRO TERM OF 4/26/14 - 2/28/18. - PERSONNEL COMMITTEE
209. SERVICE DIRECTOR BARTOS & SAFETY DIRECTOR PERRY: AUTHORIZE PURCHASE OF 12 VEHICLES FOR FIRE, STREET, HEALTH, CODE AND IT; AUTHORIZE SERV AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCHASE OF VEHICLES WITH ORC SECTION 125.04 OR ORC 5513.01; MAKE SUPP APPROP OF \$836,769.00 AND \$31,231.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
210. SERVICE DIRECTOR BARTOS: AMEND O#66/2014 TO STRIKE SEC 1 LETTER C; REVISE SEC 1 LETTER D TO READ "TWO CARGO VANS"; RE-LETTER ITEMS IN SECTION 1 ACCORDINGLY. - JUDICIARY COMMITTEE

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

- 1<sup>ST</sup> RDG 1. AUTHORIZE AUDITOR TO PAY \$31,000.00 TO RELATED PARTIES FOR WORK PERFORMED AS PART OF THE GOODWILL PROJ; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 2. AMEND APPROP O#264/2013; EMERGENCY (\$50,000.00 FROM UNAPPROP BAL 2766 MUNI PROBATION SERV FUND TO 2766 701001 MUNI PROBATION SERV - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 3. AUTHORIZE SERV DIR TO ENTER INTO AGMT WITH SALVAGE CONTRACTOR TO RE-EXCAVATE, SORT, CLEAN AND PALLETIZE SALVAGEABLE PAVING BRICKS; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 4. AUTHORIZE SAF DIR TO TAKE POSSESSION OF ARMORED MINE RESISTANT AMBUSH PROTECTED VEHICLE FOR POLICE DEPT AND CANTON REGIONAL SWAT IN AMT NOT TO EXCEED \$6,000.00 FOR SHIPPING; EMERGENCY  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG 5. ACCEPT RECOMMENDATIONS OF SANITATION SUPT MARK ADAMS FOR ADJUSTING THE CITY'S SANITATION RATES; AMEND SECTION 975.08 OF CANTON CODIFIED ORDINANCES; EMERGENCY  
Referred to Judiciary Committee

**ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#6 - O#10)**

- 2<sup>ND</sup> RDG 6. PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,400,000.00 FOR PURPOSE OF REFUNDING BOND ANTICIPATION NOTES PREVIOUSLY ISSUED FOR PURPOSE OF PROVIDING FUNDS TO PAY A COURT-APPROVED SETTLEMENT OF CLAIM AGAINST THE CITY (PIROLOZZI) (FIN)
- 2<sup>ND</sup> RDG 7. AUTHORIZE THE AUDITOR TO RENAME THE 2320 HEPATITIS GRANT FUND TO 2320 NURSING CLINIC ACTIVITY FUND; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 8. AUTHORIZE SAF DIR TO ENTER INTO CONTRACT WITH MOTOROLA, INC. IN AMT NOT TO EXCEED \$89,819.50 FOR PURCHASE OF TWENTY-FIVE PORTABLE RADIOS AND RELATED EQUIPMENT FOR FIRE DEPT; AMEND APPROP O#264/2013; EMERGENCY (\$89,819.50 FROM 4502 UNAPPROP BAL MOTOR VEHICLE PURCHASE FUND TO 4502 103001 FIRE ADMIN - OTHER) (PPCI)
- 2<sup>ND</sup> RDG 9. AUTHORIZE CITY AUDITOR TO PAY AMT NOT TO EXCEED \$64,526.00 TO CENTRAL ALLIED ENTERPRISES, INC.; EMERGENCY (PAVING 2<sup>ND</sup>, 3<sup>RD</sup> & 15<sup>TH</sup> STREETS SW) (PPCI)
- 2<sup>ND</sup> RDG 10. AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE AN AERIAL EASEMENT/LICENSE AGMT WITH NORTH MARK DOWNTOWN, LLC FOR PROP LOCATED ABOVE COURT AVE NW; EMERGENCY (E&PU)

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

- 9/1/2014 11. AMEND APPROP O#264/2013; EMERGENCY (\$43,383.50 FROM UNAPPROP BAL 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 101001 POLICE ADMIN - OTHER)

- 94/2014** 12. RESOLUTION ACCEPTING TAX INCENTIVE REVIEW COUNCIL'S RECENT RECOMMENDATIONS REGARDING ENTERPRISE ZONE & COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGMTS; EMERGENCY

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

**AMENDED AS**

- 95/2014** 13. AMEND CHAP 105, CONTRACTS, OF CODIFIED ORDINANCES OF THE CITY OF CANTON

- 96/2014** 14. FINAL RESOLUTION ADOPTING PLANS, AUTHORIZE MAYOR & SERV DIR TO COOPERATE WITH & REQ DIR OF TRANSPORTATION TO PROCEED WITH UPGRADE/REPLACEMENT OF 11 TRAFFIC SIGNALS ON SIGNAL SYSTEM IDENTIFIED AS "NAVARRE RD SIGNAL SYSTEM"; AMEND APPROP O#264/2013; EMERGENCY (\$20,000.00 FROM UNAPPROP BAL 2113 MUNI ROAD FUND TO 2113 202001 ENGINEERING ADMIN - OTHER)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:**

**MONDAY, May 12, 2014 in Council Caucus Room at 6:15 PM**

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

**MISCELLANEOUS BUSINESS:** Member Hart thanked all for donations to food bank for his Mother-in-law. Every \$1.00 equals 7 lbs of food for a lot of needy people. Member Mariol asked that Street Superintendent Rorar explain how he is going to handle the potholes. Mike Rorar stated that we just don't seem to be catching up, even with all the overtime. Time to bring in a couple of crews by subcontracting. Will bring them in for 2 or 3 weeks and see how they do. Service Director Bartos indicated that this was discussed by the Mayor a few weeks ago but now needs to have outside help. Member Thomas thanked all of the Earth Day volunteers, CTCC, Park Dept., Tree Committee for all of their work at Nimisilla Park on Saturday. Law Director Martuccio thanked everyone for their involvement in working together to resolve the City's issues. President Schulman mentioned that the National Transportation Safety Board put out an emergency report that showed the movement of crude oil by rail have caused several accidents and fires. He mentioned that you cannot put out a railcar fire should it explode in the city. He stated that railcars do come through the city and asked that the Service and Safety directors take a look into it.

**ADJOURNMENT:** 8:08 P.M.

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MAY 12, 2014 @ 7:30 PM**