

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

MAY 12, 2014

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Babcock absent

INVOCATION: Richard Hart, At-Large Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#7 - O#11)

PUBLIC HEARINGS: None

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

PUBLIC SPEAKS (CITY BUSINESS): Jim Adams (Health Commissioner): Speaking on behalf of the Board of Health with regards to the conditions of the Sears Building. The Health Dept. has occupied the Sears building since 1993. At that time there were plans to expand to renovate, and occupy the 2nd floor. This was never completed. In 1993, 3 studies were done regarding the combining of the City and County Health Departments. The ruling was that there would be no combination of the 2 Departments. Currently the 2nd floor is occupied with junk and trash. The WIC Clinic had over 12,000 clients last year so they had to hire more personnel. The office that the Dietician uses is no larger than a closet. They currently have leaking windows, inadequate ventilation for heating and cooling, mold and access issues. The facade is falling off the building onto the sidewalks. They are identifying all the needs and have selected an architect. They are currently working within the SID District. Pete DiGiacomo: There was an arson fire on 6th and Marion. The church burned to the ground. The Repository printed that it was a hate crime and that bothers me. It was an abandoned building, and was beyond repair. It would have cost more to heat the building than what the building was worth. When he called the city he was told that it was not on the list to come down. He is working with Derek on kayaking in the city parks and would like to invite council members to come. Bruce Nordman: Mission of 175 is to get the staffing of both police and fire departments to 175. There are 6 police and 3 firemen scheduled to retire according to Safety Dir Perry. Saf Dir Perry stated that she would speak with the Chiefs of both departments to get a more accurate number for replacement. He oversaw troops in the military and always kept an eye on retirements for staffing. A City of this size should be aware of staffing level for safety and lock in a sufficient number for protection. He will receive information about funding for Moving Ohio Forward. Bob Knight: Speaking concerning pit bulls and dog bites. Was bitten last August by 2 of the neighbors pit bulls. If we are not going to enforce Ordinance Section 505.18, we should strike it from the Ordinance.

INFORMAL RESOLUTIONS:

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| 25. | CNCL AS A WHOLE: | COMMEND PHILOMATHEON SOCIETY OF THE BLIND FOR THEIR 90 TH ANNIVERSARY. - ADOPTED |
| 26. | CNCL AS A WHOLE: | COMMEND GTR STARK & CARROLL CTY HABITAT FOR HUMANITY ON THEIR 25 TH ANNIVERSARY. - ADOPTED |
| 27. | PERSONNEL COMMITTEE: | REQ RE-APPT OF NIKI DICOLA TO INCOME TAX REVIEW BOARD FROM 4/26/14 TO 2/28/18. - ADOPTED |

COMMUNICATIONS:

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| 211. | AUDITOR MALLONN: | CORRECTION OF REQ FOR ADDITIONAL AMENDED CERT DATED 3/31/14. - RECEIVED & FILED |
| 212. | CNCL AT LRG HART: | REQ \$5,000.00 DONATION TO PURCHASE IDA MCKINLEY'S TIARA. - FINANCE COMMITTEE |
| 213. | HEALTH COMMISSIONER ADAMS: | CANTON BOARD OF HEALTH EXPRESSING DEEP CONCERNS FOR CONDITION OF THEIR FACILITIES @ "SEARS BLDG" AND AUTHORIZE FUNDING TO CORRECT DEFICIENCIES. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE |
| 214. | PARKS & REC CHAIRMAN GRIFFIN: | REQ AMENDMENT TO CODIFIED ORDINANCE 539.03. (ADMISSION CHARGES @ KURTZ FIELD). - JUDICIARY COMMITTEE |
| 215. | SAFETY DIRECTOR PERRY: | AUTHORIZE SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR ITEMS THAT REQUIRE COMPETITIVE BIDDING DUE TO THEIR COST; AUTHORIZE SAF DIR TO ENTER INTO CONTRACT FOR PURCHASE OF ITEMS IN ACCORDANCE WITH ORC 125.04 OR ORC 5513.01; MAKE A \$323,000.00 SUPP APPROP FROM UNAPPROP BAL OF 4501 - CAPITAL PROJECTS FUND TO 4501 103001 FIRE ADMIN - OTHER AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE |
| 216. | SERVICE DIRECTOR BARTOS: | AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PURCH/MAINT CONTRACT WITH DELL/MCPC FOR THE DATA CENTER VIRTUALIZATION PROJ IN THE AMT OF \$140,000.00 PURSUANT TO ORC 125.04; AUTHORIZE A \$86,100.00 SUPP APPROP FROM UNAPPROP BAL OF 4501 CAPITAL PROJ FUND TO 4501 504010 INFORMATION TECHNOLOGY ADMIN - OTHER AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE |

COMMUNICATIONS CONTINUED:

217. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A 1 YR CONTRACT (WITH THE OPTION OF TWO (2) ONE (1) YR EXTENSIONS IF MUTUALLY AGREED UPON) WITH SMHA FOR MONETARY COMPENSATION TO BE PAID TO THE CITY IN EXCHANGE FOR VEHICLE MAINT AND FUEL SERVICE FOR SMHA VEHICLES AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
218. TREASURER PEREZ: RPT OF PARKING METER REV FOR APRIL 2014. - RECEIVED AND FILED
219. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX FOR APRIL 2014. - RECEIVED AND FILED
220. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF APRIL 30, 2014. - RECEIVED AND FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND SECTION 181.05 RETURN & PAYMENT OF TAX; REFUND, AND SECTION 181.15, CREDIT FOR TAX PAID TO OTHER MUNI AND JEDD, OF CODIFIED ORDINANCES
Referred to Judiciary Committee
- 1ST RDG 2. AUTHORIZE CITY TO ACCEPT DONATION OF REAL PROP FROM CCIC
Referred to Community and Economic Development Committee
- 1ST RDG 3. AUTHORIZE SERV DIR TO CONVEY CITY-OWNED REAL PROP NO LONGER NEEDED FOR MUNI PURPOSES, TO CCIC; EMERGENCY
Referred to Community and Economic Development Committee
- 1ST RDG 4. AUTHORIZE SERV DIR TO ENTER INTO MUTUAL ECONOMIC DEV AGMT WITH PLAIN TOWNSHIP; EMERGENCY
Referred to Community and Economic Development Committee
- 1ST RDG 5. AUTHORIZE LAW DIR TO ENTER INTO CONTRACT WITH WALTER H. DRANE COMP IN AMT NOT TO EXCEED \$22,750.00 TO ASST IN RE-CODIFICATION OF CODIFIED ORDINANCES OF THE CITY; EMERGENCY.
Referred to Finance Committee
- 1ST RDG 6. AMEND O#66/2014; EMERGENCY; (5 CITY VEHICLES)
Referred to Judiciary Committee

ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#7 - O#11)**

- 2ND RDG 7. AUTHORIZE AUDITOR TO PAY \$31,000.00 TO RELATED PARTIES FOR WORK PERFORMED AS PART OF THE GOODWILL PROJ; EMERGENCY (FIN)
- 2ND RDG 8. AMEND APPROP O#264/2013; EMERGENCY (\$50,000.00 FROM UNAPPROP BAL 2766 MUNI PROBATION SERV FUND TO 2766 701001 MUNI PROBATION SERV - OTHER) (FIN)
- 2ND RDG 9. AUTHORIZE SERV DIR TO ENTER INTO AGMT WITH SALVAGE CONTRACTOR TO RE-EXCAVATE, SORT, CLEAN AND PALLETIZE SALVAGEABLE PAVING BRICKS; EMERGENCY (FIN)
- 2ND RDG 10. 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 (PPCI)
- 2ND RDG 11. ACCEPT RECOMMENDATIONS OF SANITATION SUPT MARK ADAMS FOR ADJUSTING THE CITY'S SANITATION RATES; AMEND SECTION 975.08 OF CANTON CODIFIED ORDINANCES; EMERGENCY (JUD)

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

- 97/2014 12. 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)
- 98/2014 13. AUTHORIZE THE AUDITOR TO RENAME THE 2320 HEPATITIS GRANT FUND TO 2320 NURSING CLINIC ACTIVITY FUND; EMERGENCY
- 99/2014 14. 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)
- 100/2014 15. AUTHORIZE CITY AUDITOR TO PAY AMT NOT TO EXCEED \$64,526.00 TO CENTRAL ALLIED ENTERPRISES, INC.; EMERGENCY (PAVING 2ND, 3RD & 15TH STREETS SW)

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

101/2014 16. 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, May 19, 2014 in Council Caucus Room at 6:00 PM**

- 1) Finance Committee
- 2) Community & Economic Development
- 3) Judiciary Committee

MISCELLANEOUS BUSINESS: Member Hawk: The dogs that Mr. Knight spoke about are not chained or cared for like they should be. Animal control is needed. Member Morris: Has the State of Ohio removed pit bulls from the vicious animal list? If so, how does this affect our city ordinance and enforcement? Law Director Martuccio: Yes, pit bulls were taken off the vicious animal list. This law was being used to sue people if they were bitten. The law can't be enforced in the City because the State trumps us. There will be talk about updating this ordinance but people can still be held accountable in a civil court, just as with any other dog. Member West: Received a call from a citizen that had been trapped by a racoon. Phil Sedlacko once again stepped up to help the community. We need to restore our animal nuisance office. Saf. Dir. Perry thanked Members Mariol, Smith, and West for attending the Stark County Partnership for Safer Community conference. They talked about violence in the community and about ways to address the issues. Law Dir. Martuccio: This was a historic event in that over 300 people, all across the community, attended. This was an awesome event and a precedent was set. Prayer is permitted at Council Meetings. Court ruled 5-4 that prayer is allowed. Constituents can speak with their Councilman and request that a certain prayer or religion be acknowledge, but it is up to that Council Member if they choose to do so. Speakers or prayers from other paths are allowed. Member Mariol: Thanked Saf. Dir. Perry, Members Smith and West for their help at the event. Pastor Moss is over program CIRV. This program works. City and Council need to get behind the program. Murders went from 16 to 2 when CIRV was previously in place. Member Hart: Out by the Gregory Galvanizing Plant on Cleveland Ave. S. and watched a crew throwing down asphalt without rolling it. Had a staff member contact the Street Department. The information received was that not all trucks are equipped with rollers, cars can pack it down, and guys are tired after rolling. If we're not going to do it correctly the first time, maybe we shouldn't do it at all. Money is being wasted. Some guys are taking the time to roll it and some are not. If there is a procedure, it needs to be enforced. Member Mariol: There will be a CIRV meeting with Pastor Moss on Thursday, May 15 at 6:00 p.m. at Mt. Pleasant Baptist Church, 821 O'Jays Parkway.

ADJOURNMENT: 8:08 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MAY 19, 2014 @ 7:30 PM