

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

CANTON CITY COUNCIL

MAY 19, 2014

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Mack absent

INVOCATION: Bill Smuckler, At-Large Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O# 7 - O#12, C# 213 from 5/12/14 agenda referral changed from PPCI to Received & Filed; O#12 Adopted on 2nd Rdg; O#17 Postponed until 6/2/14)

PUBLIC HEARINGS: None

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

PUBLIC SPEAKS (CITY BUSINESS): Steve Silver - Thomas West made a proposal to hire an animal control officer with regards to wild and vicious animals. He and Frank Morris were going to come up with a police with a basis of humane and compassionate treatment for the animals and people. According to Frank Morris, the policy was not instituted because there was no animal control officer. I am requesting Council look into a policy. Every animal has rights to live. I ask that you research effective grants. Dayton, Ohio received \$100,000.00 grant. Bill Dieffenbaugher - Works for the St. Dept. Wants to give an update on potholes. Since April 28 we have put down 509 more tons of asphalt. All hand shoveled. We've clocked 1500 hours of overtime. We had 28 workers when I gave the last update, now we have 26. 2 more workers bid out. The average age was 50, now it's 53. One of the guys who left was 27 years old. The Chip & Seal works pretty well, Crack & Seal went by the wayside. If you drive by the O'Jays Parkway, there are cracks down the middle of the road from Mahoning to 4th St. If Crack & Seal would have been used, it wouldn't have happened. Also want to thank Member Dougherty, Member Babcock and our Clerk, Cindy Timberlake for bringing us dinner to the Street Department. Greg Sanford - Problems in neighborhood. I live at 1537, my neighbor lives at 1539. I am between 2 slumlord properties. One was condemned but is still being rented out. It has bedbugs. They throw stuff on the street. 1533 used to have squatters. They kept pit bulls in the house and never let them out to use the bathroom. The stench is so bad. There are cockroaches. It's time the landlords do their job. We're being forced out, having to put a lot of money into our houses. We can't spray for bedbugs. The cost of removing bedbugs is over \$10,000.00. President Schulman - Mr. Sanford, do you have the names of the landlords? Mr. Sanford - No, just addresses. Pete DiGiacomo - We had an arson fire on 6th & Marion. The church burned down. Well, it wasn't a church anymore, but the empty building burned down. Excavator is gone but the remains are still piled up. I made a suggestion a little while ago about a gold mine. On 77 Northbound, put radars out. I came south from Akron/Canton Airport and counted 4 Sheriffs and 3 Highway Patrol handing out tickets. None of our police were out there. That could be a way to bring thousands of dollars into the city. Patrick Barton: On the tax credit it was pointed out that you're penalizing people who live here and work outside the city. Me and my wife work outside the city but felt we should pay back to the city we live in. People receiving 100% credit because they're working in Akron. I still feel they should pay something. We went to get out taxes done and the tax rate had changed. I asked my tax preparer if this was common and he said he didn't know many that don't change. I don't agree that people will be forced to move. The cost of living is lower here. We used to say vote your conscious. If you agree that it is worth getting rid of your funding source, vote your conscious. Carol Metz - Thanks to the city for SWAT hitting the Maple Ave area. It was a drug house. The drugs were gone. They've hit a couple of times. Once no one was home. Somehow the son knows when SWAT is coming. No one at the home works but the mother, but no one was home. They didn't get the dealer. I believe he's getting inside information from somewhere. My second issue is the property with the chemical fire. Mr. Tricket's. We can still smell fumes. We all have sinus problems when it rains or gets damp. He owes tons of money on back taxes. He went down and paid \$75.00 and now we can't do anything. Trash: Mr. Keefer owns the company. He was supposed to come in here with me. Heavy trucks keep driving down our neighborhood. Robert Tabor - I live in the same neighborhood where the chemical fire was. We have children out there playing. We were sent a form in November that it was coming down, but it hasn't come down yet. The semi trucks, they're tearing up our roads. The line of semis is 70 - 80 trucks long. The neighbor has a large rock in her yard, a truck moved the rock (passed pictures around showing torn up roads). We can't get to our property. They're there everyday. I have a case involving zoning. I'm being punished by Mr. Morris. Judge Kubilus ordered me to come down here.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

- | | | |
|------|----------------------------|---|
| 221. | AUDITOR MALLONN: | REQ FOR ADDITIONAL AMENDED CERTIFICATE DATED 5/12/14. - RECEIVED & FILED |
| 222. | DEPARTMENT OF COMMERCE: | NOTICE OF HEARING REGARDING CLASS C-1-2 PERMIT FOR K O G S DRIVE THRU, INC @ 3101 6 TH ST SW HEARING ON 5/28/14 @ 10:00 @ 221 3 RD ST SE. - RECEIVED & FILED |
| 223. | DEPARTMENT OF COMMERCE: | NOTICE OF HEARING REGARDING C-1 PERMIT FOR MORELLO'S PIZZA, LLC. @ 2226 CLEVELAND AVE NW HEARING ON 5/28/14 @ 9:00 @ 221 3 RD ST SE. - RECEIVED & FILED |
| 224. | LIQUOR CONTROL DIV (OHIO): | REQ TRAN OF D5 D6 PERMIT FROM GLENDALE PLAZA INC TO AL DON INVESTMENTS LLC DBA WILLOW BISTRO @ 1210-12 30 TH ST NW. - RECEIVED & FILED |
| 225. | LIQUOR CONTROL DIV (OHIO): | REQ TRAN OF C1 C2 D6 PERMIT FROM HARMONT QUICK STOP LLC TO HARMONT QUICK STOP LLC DBA HARMONT QUICK STOP @ 3325 HARMONT AVE NE. - RECEIVED & FILED |
| 226. | PLANNING COMMISSION: | REQ ZONE CHG OF SE CORNER OF PIEDMONT AVE NE AND AMERMAN PL NE, LOT NO. 17604, AKA PARCEL NO. 221449, WARD 2 FROM R-4 RESIDENTIAL TO PB-3 PLANNED GENERAL BUSINESS (FAMILY DOLLAR). - JUDICIARY COMMITTEE |

COMMUNICATIONS CONTINUED:

227. PLANNING COMMISSION: REQ ZONE CHG OF 1133 WALNUT AVE NE, AKA LOT NO. 17616, AKA PARCEL NO. 200214, WARD 2 FROM R-4 RESIDENTIAL TO PB-3 PLANNED GENERAL BUSINESS (FAMILY DOLLAR). - JUDICIARY COMMITTEE
228. PLANNING COMMISSION: REQ ZONE CHG OF SW CORNER OF WALNUT AVE NE AND AMERMAN PL NE, LOT NO. 17617, AKA PARCEL NO. 200215, WARD 2 FROM R-4 RESIDENTIAL TO PB-3 PLANNED GENERAL BUSINESS (FAMILY DOLLAR). - JUDICIARY COMMITTEE
229. PLANNING COMMISSION: REQ VACATION OF A PORTION OF HUDSON PL SW FROM VAN BUREN CT SW RIGHT OF WAY TO 190' WEST, WARD 5 (RALPH BYRD, JR.). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
230. PLANNING COMMISSION: REQ VACATION OF AMERMAN PL NE FROM THE EAST LINE OF PIEDMONT AVE NE TO THE WEST LINE OF WALNUT AVE NE AND REPLAT OF LOTS 4162 - 4166, 17604, 17617, 17616 AND THE VACATED PORTION OF AMERMAN PL NE, WARD 2 (ADAM LEVITT OF HUTTON GROWTH ONE, LLC.). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
231. PLANNING COMMISSION: REQ VACATION OF WELLS AVE NW FROM LOT NO. 42522 NORTH TO 8TH ST NW, WARD 2 (IRONWORKERS LOCAL 550). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
232. PLANNING COMMISSION: REQ REPLAT OF PART OF LOT 38840 & LOTS 38841 - 38843 AND PART OF OUTLOT 862 AND DEDICATION OF PART OF LOTS 38840 - 38843, COMMONLY KNOWN AS ST. GEORGE BYZANTINE CATHOLIC CATHEDRAL, WARD 8. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
233. PLANNING COMMISSION: REQ REPLAT OF OUTLOT 1070; LOCATED AT AND AROUND FAIRCREST ST SW AND GREENTREE AVE SW, WARD 4. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
234. SAFETY DIRECTOR PERRY: AUTH SAF DIR TO ADVERTISE, RCV BIDS, AWARD & ENTER INTO CONTRACT FOR APPX. 2,000 10 YR LITHIUM SMOKE DETECTORS IN AN AMT. NOT TO EXC. \$80,010.00; ALTERNATIVELY AUTHORIZE SAF DIR TO ENTER INTO CONTRACT FOR PURCH OF SMOKE DETECTORS WITH ORC SECTION 125.04 OR ORC 5513.01; AUTHORIZE SUPP APPROP OF \$80,010.00; AUTHORIZE AUDITOR TO DRAW WARRANT UPON RECEIPT OF VOUCHER. - FINANCE COMMITTEE
235. SAFETY DIRECTOR PERRY: REQ LEGISLATION TO ESTABLISH ADDT'L FUNDS OR ACCTS NECESSARY FOR TASK FORCE ACTIVITIES PURSUANT TO STATE LAW AND THROUGH OUR AUDITOR'S OFFICE; AUTHORIZE SAF DIR OR POLICE CHIEF TO ENTER INTO A MEMORANDUM OF UNDERSTAND (MOU) ON BEHALF OF POLICE DEPT WITH STK CTY PROSECUTOR'S OFFICE, US MARSHAL SERV AND THE US ATTY IN ORDER TO ACCEPT FUNDS GAINED THROUGH THE EFFORT OF THE NORTHERN OHIO VIOLENT FUGITIVE TASK FORCE. - FINANCE COMMITTEE
236. SAFETY DIRECTOR PERRY: REQ COUNCIL TO IMPLEMENT PERSONNEL MODIFICATION FOR FIRE DEPT. TO INCREASE NUMBER OF BATT CHIEF FROM 3 TO 4. ADDT'L BATT CHIEF WOULD ASST IN "HANDS ON" SUPERVISION OF EMS AND PERFORM FUNCTION OF SAF OFFICER. THIS WOULD BE 40 HR POSITION. POSITION ONE RANK ABOVE CAPT, ALLOWING FOR ADDT'L SUPERVISION AND ASST IN SUCCESSION PLANNING. - PERSONNEL & FINANCE COMMITTEES
237. SERVICE DIRECTOR BARTOS: RATIFY ACTIONS TAKEN PURSUANT TO SEC 105.04 OF CODIFIED ORDINANCE OF CANTON; AUTHORIZE AUDITOR TO PAY MORAL OB TO NORTHSTAR ASPHALT, INC., FOR AN AMT NOT TO EXCEED \$50,000.00; AUTHORIZE AUDITOR TO DRAW WARRANT UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
238. SERVICE DIRECTOR BARTOS: RATIFY ACTIONS TAKEN PURSUANT TO SEC 105.04 OF CODIFIED ORD OF CANTON; AUTHORIZE AUDITOR TO PAY MORAL OB TO CENTRAL ALLIED ENTERPRISE, INC. FOR AN AMT NOT TO EXCEED \$51,088.00; AUTHORIZE AUDITOR TO DRAW WARRANT UPON RECEIPT OF VOUCHERS (12TH ST NW). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

COMMUNICATIONS CONTINUED:

239. SERVICE DIRECTOR BARTOS: MAKE \$76,500.00 SUPP APPROP FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202210 STREET MAINT - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS FOR MISC CAPITAL PURCH. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
240. SERVICE DIRECTOR BARTOS: MAKE \$22,500.00 SUPP APPROP OF FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 208010 DMV SERVICE AND REPAIR - OTHER FOR MISC CAPITAL PURCH. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND EXHIBIT A TO O#100/2011, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; EMERGENCY (DEPUTY CHIEF OF POLICE)
Referred to Personnel and Finance Committees
- 1ST RDG 2. AUTHORIZE SERV DIR AND/OR SAF DIR TO ADVERTISE, REC BIDS, AWARD AND ENTER INTO CONTRACTS FOR LEASE AND/OR PURCH OF VARIOUS VEHICLES AND/OR EQUIP FOR VARIOUS DEPTS; AUTHORIZE SERV DIR AND/OR SAF DIR TO ENTER INTO VARIOUS CONTRACTS FOR PURCH OF VARIOUS VEHICLES AND/OR EQUIP IN ACCORD WITH ORC 125.04 OR 5513.01; AMEND APPROP O#264/2013; EMERGENCY (STREET DEPT 5; HEALTH DEPT 2; CODE 2; IT 1)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 3. AMEND SECTION 539.03, ADMISSION CHARGES AT KURTZ FIELD, OF CODIFIED ORD OF THE CITY OF CANTON
Referred to Judiciary Committee
- 1ST RDG 4. AUTHORIZE SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF EQUIP AND SUPP SUPPLIES FOR FIRE DEPT; AUTHORIZE DIR TO ALTERNATIVELY PURCH SAID EQUIP AND SUPP SUPPLIES PURSUANT TO STATE COOP PURCH AGMTS; AMEND APPROP O#264/2013; EMERGENCY (\$323,000.00 FROM UNAPPROP BAL 4501 CAPITAL PROJ FUND TO 4501 103001 FIRE ADMIN - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 5. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A PURCH/MAINT CONTRACT IN AN AMT NOT TO EXCEED \$140,000.00 WITH DELL/MCPC FOR THE DATA CENTER VIRTUALIZATION PROJ PURSUANT TO ORC 125.04; AMEND APPROP O#264/2013; EMERGENCY (\$86,100.00 FROM UNAPPROP BAL 4501 CAPITAL PROJ FUND TO 4501 504010 INFORMATION TECHNOLOGY ADMIN - OTHER)
Referred to Public Property Capital Improvement Committee
- 1ST RDG 6. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A ONE-YEAR CONTRACT WITH SMHA FOR VEHICLE MAINT AND FUEL SERV.
Referred to Finance Committee

ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#7 - O#12; O#12 ADOPTED ON 2ND RDG)**

- 2ND RDG 7. 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 (JUD)
- 2ND RDG 8. AUTHORIZE CITY TO ACCEPT DONATION OF REAL PROP FROM CCIC (C&ED)
- 2ND RDG 9. AUTHORIZE SERV DIR TO CONVEY CITY-OWNED REAL PROP NO LONGER NEEDED FOR MUNI PURPOSES, TO CCIC; EMERGENCY (C&ED)
- 2ND RDG 10. AUTHORIZE SERV DIR TO ENTER INTO MUTUAL ECONOMIC DEV AGMT WITH PLAIN TOWNSHIP; EMERGENCY (C&ED)
- 2ND RDG 11. 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. (FIN)
- 102/2014 12. AMEND O#66/2014; EMERGENCY; (5 CITY VEHICLES) (JUD)

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

- 103/2014 13. AUTHORIZE AUDITOR TO PAY \$31,000.00 TO RELATED PARTIES FOR WORK PERFORMED AS PART OF THE GOODWILL PROJ; EMERGENCY
- 104/2014 14. AMEND APPROP O#264/2013; EMERGENCY (\$50,000.00 FROM UNAPPROP BAL 2766 MUNI PROBATION SERV FUND TO 2766 701001 MUNI PROBATION SERV - OTHER)
- 105/2014 15. AUTHORIZE SERV DIR TO ENTER INTO AGMT WITH SALVAGE CONTRACTOR TO RE-EXCAVATE, SORT, CLEAN AND PALLETIZE SALVAGEABLE PAVING BRICKS; EMERGENCY

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

- 106/2014** 16. 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

POSTPONED UNTIL

- 6-2-2014** 17. ACCEPT RECOMMENDATIONS OF SANITATION SUPT MARK ADAMS FOR ADJUSTING THE CITY'S SANITATION RATES; AMEND SECTION 975.08 OF CANTON CODIFIED ORDINANCES; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, June 2, 2014 in Council Caucus Room at 6:00 PM**

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

MISCELLANEOUS BUSINESS: Member Fisher - Regarding the trucks, Service Director Bartos requested that we try to start a process regarding commercial truck traffic to reduce wear and tear on the roads. Member West: Are there any laws on the books that deal with trucks in residential areas? Law Director Martuccio - There are laws with regards to weight limits but I will have to look into it. Member West - I also wanted to follow up about the Animal Control Officer. On 6/3/13 there was an Informal Resolution passed. I requested Animal Nuisance Contract to pick up animals other than cats. I still want an Animal Control Officer. I receive calls in the middle of the night on weekends about racoons, dogs. I had to call on Cindy to see who we were using. My constituents had to pay someone to come out. We should have an officer. Cats are another issue. Feral cats are another issue. Since Phil Sedlacko stepped down, he's been helping for free. We need to have another officer and I will continue to advocate. Member Fisher - I also called Sedlacko last week. He helped, and continues to help. I echo Mr. West. We had 4 cats and a possum. That doesn't sounds like city living. Member Hart - Thanks to Terri Ross on the 8th Floor. 8 baby ducklings fell down the sewer. The mother was flying around. The guys from Collections came down. One guy stayed in the sewer until he got the last one out. Member West - Congratulations to Viola Fisher, she graduated from college. Member Smuckler - If anyone needs to get rid of snakes, Fonda is an expert. Member Morris - Successful SWAT raid in the 2100 block of Maple. It has slowed traffic down, not as many drug buys. Mr. Tabor, I wasn't aware that I was punishing you. Your zoning request was turned down but I wasn't aware that I was punishing you, but I will apologize. I spoke with Mr. Keefer outside, he will try to resolve the truck issue. He didn't know the trucks were driving down the neighborhood streets. Safety Director, is there an update on Convey? Safety Director Perry - Not sure, will defer to Law Director Martuccio. Law Director Martuccio - Where is that? Member Morris - Convey Containers, the chemical fire. Law Director Martuccio - I don't have an update but will check with Assistant Law Director. Service Director Bartos - The Mowing Program, we have 3100 lots, we can do 3 mows per lot, 1 mow in a 2 month period. On the Mahoning Road bids, we got 2 good bids. The 1st was \$500,000 under engineers estimate. The second was slightly under, but not 10%. Central Allied entered good bids, so we have a back up in case we need it. Northstar has been helping patch 12th St. Crews are all over the city. Member Hawk: Conneaut they found people to mow. Can I get 6 in my ward? Member West - How many lots per ward? Service Dir Bartos: Properties are reported in the email that's sent. Sam Sliman called Sen. Oelslager and Schuring about additional funding for 12th St. Senator Schuring returned the call immediately and will look into it.

ADJOURNMENT: 8:22 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JUNE 2, 2014 @ 7:30 PM