

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

JULY 14, 2014

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Kevin Fisher, Ward 5 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#8 and O#15-17; 2nd Rdg O#18 - O#24; O#8, O#15-O#17 adopted on 1st Rdg; O#25 postponed until 7/28/14; O#28 adopted as amended)

PUBLIC HEARINGS: None

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

PUBLIC SPEAKS (CITY BUSINESS): Robert Capestrain, C. David Morgan, Rick Gaten, Manuel Halkias, Stephanie Sweany, Harry Klide, Leon M. Cote and Richard Reinbold spoke about their support for Charter and asked that Council dismiss their feelings for the Charter because this vote was only to place the issue before the voters. They believe that this would empower the City of Canton and that the City would no longer be under control of our State Legislators. They all stressed that the constituents have the fundamental right to vote and that Council should trust their constituents. Patricia Kirk spoke about the zoning changes in Ward 2. She felt that another Family Dollar store is not needed, but that the people in Ward 2 need a general store or a grocery store because there is no store in walking distance. She also felt that it would be impossible for the people to vote for a Charter if the people didn't know what they needed to begin with. Jason Scaglione believes that paving in the winter time is foolish. He also believed that Council should give the people the right to vote on the Charter and also told Council to remember how they voted on the issue. Charles Killens said that he left some pictures with Mr. Smuckler. He indicated that he had a form that he would fill out requesting the City to show where the City is storing their records. He spoke of his approval of the day's Canton Repository article on the Mayor and Member West. He said that he liked how they agreed on the Federal law saying what should and shouldn't be and that they took the time to advice people. He also said that he has been writing letters to Federal Judges, informing them that they're violating the law. Ida Webb spoke about the condition of the lot next to her property that has high grass, weeds, vines, and trees. She said that because of this condition, someone tried to break into her house during the night. When she turned her lights off, they were able to run through the lot of the adjacent property and not be seen. She also complained about groundhogs, skunks, and a baby deer being on the property. She said that she was able to speak to someone prior to the start of Council meeting and that they said they would help her. Pete DiGiacomo spoke about the high weeds and the Canton Repository newspaper article. He would like to know what's going to be done about the people who will not cut their grass. He mentioned that 2-3 years ago people who owned property and didn't cut their grass would be taken to court and that the City would add the cost of cutting their grass to their tax record, but that hasn't happened. He believes they should be fined and receive possible jail time. Bill Dieffenbaugher spoke about his disdain for the Canton Repository article on grass cutting because he believes that everyone is just blaming everyone else. He stated that because of the harsh winter, the street crew got behind in filling the potholes. He also said that before they could get all of the potholes filled, spring came with much rain and now they're behind on the grass cutting. They've received assistance from the Park and Water Depts. He commended his boss, Michael Rorar for the job that he's doing.

INFORMAL RESOLUTIONS:

32. PERSONNEL COMMITTEE: RE-APPT OF KYLE QUILLEN TO THE SYSTEMS PLANNING BOARD, COMMENCING RETROACTIVELY ON APRIL 1, 2014 AND EXPIRING MARCH 31, 2016. - ADOPTED

COMMUNICATIONS:

296. AUDITOR MALLONN: MNTHLY RPT BY FUND 6/1/14 - 6/30/14. - RECEIVED & FILED
297. AUDITOR MALLONN: YRLY RPT BY FUND 1/1/14 - 6/30/14. - RECEIVED & FILED
298. AUDITOR MALLONN: REQ FOR ADDITIONAL AMENDED CERT DATED 7/9/14. - RECEIVED & FILED
299. COMM DEV DIRECTOR MILLER: ESTABLISH FAIR REUSE VALUE OF PARCEL(S) OF REAL PROP AND AUTH DISPO OF SAID PROP (PARCEL: 02-32362 AND 02-32363; LOT#29428 AND LOT#29429 (COMBINED) - \$543.60 TO JAMES HOSENBACKEZ. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
300. COMM DEV DIRECTOR MILLER: ESTABLISH FAIR REUSE VALUE OF PARCEL(S) OF REAL PROP AND AUTH DISPO OF SAID PROP (PARCEL: 02-21072 AND LOT #10820 - \$589.92 TO JRC (FORMERLY JR COLEMAN)) - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
301. COUNCIL AS A WHOLE: REQ TRANSFER OF \$175,000.00 FROM UNAPPROP BAL OF 1001 - GENERAL FUND TO 1001 601001 COUNCIL ADMIN - OTHER. - FINANCE COMMITTEE
302. LIQUOR CONTROL DIV (OHIO): REQ C1 C2 NEW PERMIT FOR OHIO CVS STORES LLC DBA CVS/PHARMACY 10372 @ 2210 TUSCARAWAS ST W. - RECEIVED & FILED
303. PARK DIRECTOR GORDON: CANTON PARKS ANNUAL REPORT 2012 - 2013. - RECEIVED & FILED
304. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO ACCEPT EQUIPMENT (18 PIECES) AWARDED TO CPD THROUGH GRANT FROM LAW ENFORCEMENT STATE HOMELAND SECURITY TO BE PERMANENTLY INSTALLED IN MARKED CRUISERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

COMMUNICATIONS CONTINUED

305. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO PAY MORAL OB TO AULTWORKS FOR NEW PO FOR OCCUPATIONAL INJURIES AND DRUG SCREENS. - FINANCE COMMITTEE
306. SAFETY DIRECTOR PERRY: CITY'S RESPONSIBILITY FOR MAINTENANCE FEES FOR THE CAD SYSTEM. - FINANCE COMMITTEE
307. SAFETY DIRECTOR PERRY: WITHDRAWAL OF COMMUNICATION #263 (BYRNE GRANT). - RECEIVED & FILED
308. SERVICE DIRECTOR BARTOS: AUTHORIZE AUDITOR TO PAY A REFUND TO TIMKEN STEEL CORP IN THE AMOUNT OF \$121,257.49, FROM UNAPPROP BAL OF THE 5410 SEWER FUND TO 5410 207003 74711 - UTILITY BILLING - OTHER & AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
309. SERVICE DIRECTOR BARTOS: AMEND SECTION 947.22, BACKWATER RESPONSE INITIATIVE PROGRAM, OF THE CITY OF CANTON COD ORD BY INCREASING TIME LIMIT FOUND IN 947.22(c)(1) FROM FIVE (5) YEARS TO FIFTEEN (15) YEARS - JUDICIARY COMMITTEE
310. SISTERS OF CHARITY FOUNDATION: ANNUAL REPORT TO THE COMMUNITY 2013. - RECEIVED & FILED
311. TREASURER PEREZ: MNTHLY RPT PARKING METER REVENUE FOR JUNE 2014. - RECEIVED & FILED
312. TREASURER PEREZ: MNTHLY RPT OF DEPOSITS AND PAY-INS FOR AMBULANCE LOCK BOX ACCT FOR MONTH OF JUNE 2014. - RECEIVED & FILED
313. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF APRIL 30, 2014. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND CHAPTER 105, CONTRACTS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
Referred to Finance Committee
- 1ST RDG 2. AMEND APPROP ORD 264/2013 (\$6,800.00 FROM UNAPPROP BAL OF THE 2219 EMERGENCY SHELTER GRANT FUND TO 2219 506001 EMERGENCY SHELTER GRANT - OTHER); EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 3. AUTHORIZE MAYOR AND/OR SERV DIR TO ACCEPT UP TO TWENTY-ONE (21) NEIGHBORHOOD STABILIZATION PROGRAM (NSP) HOUSES AND ONE (1) HOME HOUSE; AUTHORIZE SALE OF PROP; TO ADVERTISE AND ENTER INTO CONTRACTS FOR THE MGMT OF ANY REMAINING RENTAL UNITS; EMERGENCY
Referred to Community and Economic Development Committee
- 1ST RDG 4. ADOPT CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING DEC 31, 2015; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. AMEND APPROP ORD 264/2013 (3 SUPP APPROP - STREET, VEHICLE SELF INS, IT); (3 APPROP TRANSFERS - STREET, HARMONT SANITARY SEWER, CODE ENF); EMERGENCY
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZE SAF DIR TO ACCEPT FROM STARK CTY SHERIFF THE 2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN AMT NOT TO EXCEED \$38,805.00; RATIFY ANY AGMT ENTERED INTO WITH STARK CTY COMMISSIONERS REGARDING DISTRIBUTION OF GRANT FUNDS; AUTHORIZE AUDITOR TO RENAME FUND 2787 TO THE 2014 BYRNE GRANT FUND; AMEND APPROP ORD 264/2013; EMERGENCY
Referred to Finance Committee
- 1ST RDG 7. AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO ONE-YR CONTRACT WITH MD STEPHENS, LLC IN AMT NOT TO EXCEED \$25,000.00; EMERGENCY
Referred to Finance Committee

(COUNCIL RECESSED AT 8:15 PM FOR THE FINANCE AND PERSONNEL COMMITTEES TO DISCUSS ORDINANCE #8; RECONVENED AT 8:16 PM)

- 135/2014 8. AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO ONE-YR CONTRACT WITH BRADLEY B. BUSBY; EMERGENCY (PT CRIME ANALYST).
Referred to Finance and Personnel Committees
- 1ST RDG 9. AUTHORIZE AND CONSENT TO MINOR REHAB AND MISC BRIDGE WORK ON SR 30; EMERGENCY
Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 10. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT TO FAIRCREST SANITARY SEWER PROJECT, GP 1142 AND NEGOTIATE AND SECURE THE SANITARY SEWER EASEMENTS/PROP OWNERSHIP ON BEHALF OF CITY; AMEND APPROP ORD 264/2013; EMERGENCY
Referred to Finance Committee
- 1ST RDG 11. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH CT CONSULTANTS IN AMT NOT TO EXCEED \$114,900.00; AMEND APPROP ORD 264/2013 (FROM UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 DISTRIBUTION MAINTENANCE - OTHER); EMERGENCY
Referred to Finance Committee
- 1ST RDG 12. AUTHORIZE MAYOR AND/OR SERV DIR TO APPLY FOR AND ACCEPT OWNERSHIP OF 2426 - 30TH ST NE THROUGH THE STARK CTY LAND REUTILIZATION'S SIDE LOT DISPO PROGRAM; ENTER INTO AGMT FOR AND SECURE CITY OWNERSHIP OF 2560 - 30TH ST NE; ESTABLISH FAIR MRKT VALUE OF REAL PROP; AMEND APPROP ORD 264/2013; RESTRICT EXPLOITATION OF MINERAL RIGHTS ON THE PROP; EMERGENCY
Referred to Finance and Environmental and Public Utilities Committees
- 1ST RDG 13. AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE EAST SIDE INTERCEPTOR SANITARY SEWER REPLACEMENT PROJECT (FRESHMARK), G.P. 1113 TO APPLY FOR, ENTER INTO AGMT WITH AND RECEIVE FUNDS FROM JOBS OHIO; AMEND EXISTING AND/OR ENTER INTO AGMTS WITH STARK CTY AND FRESHMARK FOR CONSTRUCTION OF PROJ; ENTER INTO AGMTS WITH FRESHMARK FOR RECEIPT OF PERM SANITARY SEWER EASEMENTS AND TO VACATE EXISTING EASEMENTS; AMEND APPROP ORD 264/2013; EMERGENCY
Referred to Finance Committee
- 1ST RDG 14. AMEND SECTION 181.05, RETURN AND PAYMENT OF TAX; REFUND, OF THE CODIFIED ORDINANCES
Referred to Judiciary Committee

COUNCIL RECESSED AT 8:23 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT TO DISCUSS ORDINANCES #15 AND #17; RECONVENED AT 8:35 PM; COUNCIL RECESSED AT 8:36 PM FOR THE PUBLIC SAFETY & THOROUGHFARES COMMITTEE TO DISCUSS ORDINANCE #16; RECONVENED AT 8:37 PM)

- 136/2014 15. ADOPT PLANS, AUTHORIZE MAYOR AND/OR SERV DIR TO COOPERATE WITH AND REQ TRANS DIR TO PROCEED WITH MINOR REHAB OF SR 297; EMERGENCY (RAFF RD)
Referred to Public Property Capital Improvement Committee
- 137/2014 16. AUTHORIZE AND CONSENT TO BRIDGE REPAIR ON STRUCTURE ON CLEVELAND AVE OVER US 62; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 138/2014 17. AUTHORIZE TREASURER TO ENTER INTO CONTRACT WITH INNOVATIVE SOFTWARE SERVICES, INC. FOR THE PURPOSE OF ACQUISITION, TRAINING, CONFIGURATION, INSTALLATION AND IMPLEMENTATION OF ITS CITY TAX COMPUTER SOFTWARE APPLICATION AND TO ENTER INTO A FIVE-YEAR LEASE AGREEMENT WITH A LOCAL BANK; EMERGENCY
Referred to Public Property Capital Improvement Committee

ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#18- O#24)**

- 2ND RDG 18. APPROVE STATEMENT OF SERVICES TO PROVIDE TO THE PROP OWNER IN GEORGE HALAS DRIVE ANNEXATION AREA, APPROX DATE SERV WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO CITY OF CANTON; EMERGENCY
_____(ANNEX)
- 2ND RDG 19. AUTHORIZE THE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AMT NOT TO EXCEED \$200,000.00 FOR WORK TO BE PERFORMED AT FORMER RTI FACILITY UNDER CLEAN OHIO ASST FUND; AMEND APPROP O#264/2013; EMERGENCY (\$200,000.00 FROM UNAPPROP BAL 2814 CLEAN OHIO FUND TO 2814 506001 CLEAN OHIO - OTHER)
_____(FIN)
- 2ND RDG 20. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO A JOB CREATION TAX INCENTIVE AGMT WITH UNITED WAY OF STARK COUNTY PURSUANT TO CITY'S INCENTIVE PROG; EMERGENCY
_____(C & ED)
- 2ND RDG 21. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE GRANT IN AMT NOT TO EXCEED \$175,000.00 FOR ECONOMIC & CIVIC DEVELOPMENT FOR CITY; EMERGENCY
_____(FIN)
- 2ND RDG 22. AMEND O#264/2013 (\$338,795.55 FROM 2214 UNAPPROP BAL OF HOME FUND TO 2214 506001 HOME - OTHER)
_____(C & ED)
- 2ND RDG 23. AMEND APPROP O#264/2013; AUTHORIZE MAYOR, SERV DIR AND/OR CANTON PARK COMM TO ENTER INTO COOP AGMT WITH GERVASI VINEYARDS FOR OPERATION, UTILIZATION & MAINTENANCE OF TRAILHEAD; EMERGENCY (\$8,731.62 FROM UNAPPROP BAL 2181 GERVASI 1700 LLC TIF FUND TO 2181 202001 GERVASI 1700 LLC TIF - OTHER)
_____(FIN)

ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

2ND RDG 24. AUTHORIZE MAYOR, SAF DIR, AND/OR SERV DIR TO NEGOTIATE & ENTER INTO CONTRACT WITH RUNCANTON, INC; EMERGENCY _____(FIN)

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

POSTPONED UNTIL

7/28/14 25. VACATE A PORTION OF AMERMAN PL NE; APPROVE & ACCEPT REPLAT OF VACATED STREET AND LOTS 4162 - 4166, 17604, 17616 AND 17617; EMERGENCY (FROM EAST LINE OF PIEDMONT AVE NE TO WEST LINE OF WALNUT AVE NE FOR HUTTON GROWTH ONE, LLC)

DEFEATED 26. PROVIDE FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF CANTON THE QUESTION "SHALL A COMMISSION BE CHOSEN TO FRAME A CHARTER?" AND FOR THE ELECTION OF MEMBERS OF THE CHARTER COMMISSION; EMERGENCY

139/2014 27. AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION & CORRECTION FOR THE RECEIPT OF THE FY 2015 COMMUNITY CORRECTIONS ACT GRANT IN AN AMOUNT NOT TO EXCEED \$170,601.00; EMERGENCY

AS AMENDED

140/2014 28. AUTHORIZE CANTON PARK COMMISSION TO ENTER INTO AGREEMENT WITH THE CANTON JOINT RECREATION DISTRICT AND THE J. BABE STEARN COMMUNITY CENTER (JBSC) TO PROVIDE FUNDING FOR RECREATIONAL SERVICES AT THE JBSC; EMERGENCY

141/2014 29. APPROVE AN AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND CANTON PROFESSIONAL FIREFIGHTERS' ASSOCIATION LOCAL 249; EMERGENCY (ARTICLE 72 PHYSICAL FITNESS INCENTIVE) _____

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, July 14, 2014 in Council Caucus Room at 6:15 PM

- 1) Finance Committee
- 2) Environmental & Public Utilities Committee
- 3) Community & Economic Development Committee
- 4) Public Safety & Thoroughfares Committee
- 5) Judicial Committee
- 6) Personnel Committee

MISCELLANEOUS BUSINESS: Member West gave thanks and credit to Member Mack for his research on the Charter issue.

ADJOURNMENT: 9:30 PM