

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

OCTOBER 6, 2014

ROLL CALL: Ten Members Present

MOTION TO EXCUSE MEMBERS: Members Mack and Dougherty absent

INVOCATION: William Smuckler, At-Large Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#8 - O#12; O#1 & O#2 Changed to Judiciary Committee; O#8 Adopted on 2nd Reading)

PUBLIC HEARINGS:

7:30 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE, PLANNING COMMISSION RECOMMENDED APPROVAL (1501 HENRY AVENUE SW., CANTON, OHIO FROM B-2 (NEIGHBORHOOD BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) IN WARD 5) **O#208/2014**

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Charles Killens stated that he had a copy of a letter from the Akron Beacon Journal about a man's house being torn down and not being paid for it, just like Joe Martuccio and the Health Dept. tore his down and didn't pay him. He passed the letter (newspaper article) around. He also stated that Joe Martuccio falsified his name. He would like a straight answer from the Mayor, Joe Martuccio and the Service Director about when they're going to pay him for his house. He wanted to know how soon they would give him an answer. Jason Scaglione talked about crime in the city and wanted to know what could be done about it. He stated that people are selling their houses to get out of the City of Canton. He sent a letter to our State Representatives, Slesnick and Brown regarding the cutting of our funds. He mentioned the WWII Vet being shot in Canton a few years ago and the recent shooting at a gas station, where the clerk had to take a gun to work everyday because of the crime. The clerk was shot but two of the robbers were shot and killed. He also stated that Anderson's Flowers was moving to North Canton because of the crime here in the City. He would like to know what can be done to combat the crime. Jim Adams (Health Commissioner) spoke about the recent news of the Ebola outbreak in Texas and what the Health Dept. is doing to combat an outbreak here. He thanked Council for their continued support of the Health Dept. He also stated that the Health Dept. is working, in the background, on communicable disease outbreak. He gave an example that since 1999, they have been working with other departments in Canton and hospitals in a group called the Emergency Health Planning Coalition (EHPA). They are doing well and doing it quietly. Connie Weideman spoke about crime in the City. She said that she has been looking at statistics that have recently been posted and from those stats, it doesn't appear that Canton is moving forward at all. She thinks that if law enforcement would hold criminals accountable for smaller crimes such as curfew violations, or make parents responsible for their children, then these people wouldn't graduate to larger crimes. She believes that our police need to show force not only for the big events, but they need to be seen in neighborhoods more. She's happy about the hiring of the additional 9 officers, but knows that with the amount of people living in the City, that the criminals know that this numbers is unreasonable. She asked that the leaders lead responsibly instead of being satisfied with the status quo.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

- 425. AUDITOR MALLONN: MTHLY REPORT BY FUND FOR 09/01/14 THRU 09/30/14. - RECEIVED & FILED
- 426. AUDITOR MALLONN: YRLY REPORT BY FUND FOR 01/01/14 THRU 09/30/14. - RECEIVED & FILED
- 427. COMM DEV DIR MILLER: REQ WITHDRAWAL OF COMMUNICATION #414 FROM THE 9/22/14 AGENDA. - RECEIVED & FILED
- 428. COMM DEV DIR MILLER: ESTABLISH FAIR REUSE VALUE OF 2 PARCELS OF REAL PROP & AUTHORIZE THE DISPO OF SAID PROP (PARCEL #02-16208 AND #02-16209; PART LOTS OF #7851, 7854, 7855, 7856 AND 7865 (COMBINED) LOCATED ON HARRISBURG AVE NE (LENA A. & JACK E. PORTER). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
- 429. COUNCIL MEMBER-AT-LARGE HART: LETTER TO LAW DEPT REG REMOVAL OF BRICKS TO REPAIR BRICK STREETS. - RECEIVED & FILED
- 430. COUNCIL MEMBER-AT-LARGE HART: LETTER TO LAW DEPT REG DEAD TREES IN AREAS OF CITY PROP AND PARK LAND USED BY RESIDENTS. - RECEIVED & FILED
- 431. COUNCIL MEMBER-AT-LARGE HART: LETTER TO COUNCIL MEMBER CHRIS SMITH, COMM DEV DIR LISA MILLER, AND DEPUTY MAYOR FONDA WILLIAMS REG FUNDS FOR HOME REPAIR TRAINING PROGRAM FOR CANTON RESIDENTS. - RECEIVED & FILED
- 432. DEPUTY MAYOR WILLIAMS: AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS, AWARD, AND ENTER INTO CONTRACT FOR SALE OF LAND AND STRUCTURE AT 2506 CLEVELAND AVE. S. (PARCEL #285889 - OLD SERVICE CENTER). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
- 433. DEPUTY MAYOR WILLIAMS: REQ WITHDRAWAL OF COMMUNICATION #420 FROM THE 9/29/14 AGENDA. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

434. FINANCE DIRECTOR DIRUZZA: REQ AMEND O#264/2013 (\$35,000.00 FROM UNAPPROP BAL 2111 STREET MAINTENANCE FUND TO 2111 104020 TRAFFIC SIGNAL - OTHER; \$85,000.00 FROM UNAPPROP BAL OF 6041 DMV FUND TO 6041 208010 SERVICE AND REPAIR - OTHER; \$12,000.00 FROM 2216 505010 FAIR HOUSING DEPT - PERSONNEL TO 2216 505010 FAIR HOUSING DEPT - OTHER). - FINANCE COMMITTEE
435. HEALTH COMM ADAMS: REQ TO AMEND O#264/2013 FOR INTER-FUND TRANSFERS FOR PMT OF GRANT EXPENSES (\$3,800.00 FROM 2312 301001 OTHER TO 2312 301001 PERSONNEL; \$8,000.00 FROM 2321 301001 OTHER TO 2321 301001 PERSONNEL). - FINANCE COMMITTEE
436. MAYOR HEALY: AUTHORIZE RE-APPT OF TERRY PRATER TO BOARD OF ZONING APPEALS FOR 3 YR TERM OF 1/1/15 - 12/31/17. - PERSONNEL COMMITTEE
437. MAYOR HEALY: ADVISE OF RE-APPT OF DR. MERLE GRIFF TO AREA AGENCY ON AGING AREA WIDE ADVISORY COUNCIL FOR 3 YR TERM FROM 1/1/15 - 12/31/17. - RECEIVED & FILED
438. MAYOR HEALY: ADVISE OF RE-APPT OF DR. DEBORAH WATKINS TO AREA AGENCY ON AGING AREA WIDE ADVISORY COUNCIL FOR 3 YR TERM FROM 1/1/15 - 12/31/17. - RECEIVED & FILED
439. MAYOR HEALY: ADVISE OF RE-APPT OF ROBERT THOMPSON TO CANTON COMMUNITY IMPROVEMENT CORPORATION FOR 1 YR TERM FROM 1/1/15 - 12/31/15. - RECEIVED & FILED
440. MAYOR HEALY: AUTHORIZE RE-APPT OF JOHN STRAUSS TO ARCHITECTURAL REVIEW BOARD COMMENCING 1/1/15 - 12/31/18. - PERSONNEL COMMITTEE
441. PLANNING COMMISSION: REQ AUTHOR FOR REPLAT OF PART OF OUTLOT 577; LOCATED AT AND AROUND MAHONING RD NE AND HARMONT AVE NE, WARD 6. (DOLLAR GENERAL). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
442. SAFETY DIRECTOR PERRY: AUTHORIZE DEMO LIENS, ASSESSMENTS, PENALTIES, AND INT DISCHARGED FOR VACANT LOT @ 710 WILSON PL NW IN AMT OF \$9,795.59. - COMMUNITY & ECONOMIC DEVELOPMENT
443. SAFETY DIRECTOR PERRY: ADOPT LEGISLATION AUTHOR SAF DIR TO REC AND APPROP 2014 COPS HIRING PROGRAM GRANT #2014UMWX0192 FOR HIRING 9 POLICE OFFICERS. (\$1,125,000.00 OVER 3 YRS; CITY CASH MATCH OF \$411,713.00). - FINANCE COMMITTEE
444. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD, AND EXECUTE CONSTRUCTION CONTRACT; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO COOP AGMT WITH AEP; MAKE SUPP APPROP OF \$80,000.00 FROM UNAPPROP BAL OF 4501 (CAPITAL FUND) TO 4501-202001 (CAPITAL FUND - ENGINEERING ADMINISTRATION) - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (CHAPEL RIDGE AND PLAIN CENTER ESTATES). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (CITY-WIDE ZONING) Referred to Judiciary Committee **PUB HRG 10/27/14 @ 7:30 PM**
- 1ST RDG 2. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (915 WERTZ AVENUE N.W., CANTON, OHIO FROM B-3 (NEIGHBORHOOD BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) DENNIS R. AND CAROLYN J. COPELAND - WARD 3) Referred to Judiciary Committee **PUB HRG 10/27/14 @ 7:31 PM**
- 1ST RDG 3. AUTHORIZE LEGISLATION TO DISCHARGE LIENS FOR DEMOLITION, ASSESSMENTS, PENALTIES & INTEREST @ 1417 4TH STREET NE Referred to Community & Economic Development Committee
- 1ST RDG 4. AMEND O#264/2013 (\$40,000.00 SUPP APPROP FROM UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102001 POLICE ADMIN - OTHER) Referred to Finance Committee
- 1ST RDG 5. AUTHORIZE MAYOR AND/OR SERV DIR TO PURCHASE ONE (1) VACALL AJV 1015 AT ESTIMATED COST OF \$332,000.00 THROUGH NATIONAL JOINT POWER ALLIANCE COOP PURCH AGMT IN ACCORDANCE WITH ORC 9.48 AND CANTON CODIFIED ORDINANCE SECTION 105.11 Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 6. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH GREG MENCER FOR AMT NOT TO EXCEED \$30,000.00 (SANITARY SEWER ENGINEER)
Referred to Finance Committee
- 1ST RDG 7. ACCEPTING THE AMTS & RATES AS DETERMINED BY THE BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES AND BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES & CERTIFYING THEM TO THE COUNTY AUDITOR
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#8 - O#12; O#8 ADOPTED ON 2ND READING)**

- 207/2014 8. AMEND SECTION 181.08, DUTIES, OF TREASURER AND INCOME TAX DIR AND SECTION 181.09, INVESTIGATIONS; INFORMATION CONFIDENTIAL; PENALTY FOR DIVULGENCE; RECORDS TO BE KEPT FOR FIVE YEARS; OF THE CODIFIED ORDINANCES _____ (JUD)
- 2ND RDG 9. VACATING AN UNNAMED ALLEY; EMERGENCY (LEE DICOLA FOR FOLTZ MACHINE - ALLEN AVE SE) (PS&T) **PUB HRG 10/20/14 @ 7:30 PM**
- 2ND RDG 10. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO A PROF SERV CONTRACT WITH LEONARD INSURANCE SERV AGENCY, INC IN AMT NOT TO EXCEED \$175,000.00 FOR A ONE (1) YR FIRE, VANDALISM & MALICIOUS MISCHIEF (PROP) INS POLICY FOR THE CITY-OWNED BLDGS AND CONTENTS; EMERGENCY _____ (FIN)
- 2ND RDG 11. AUTHORIZE THE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER 2 IN AMT OF \$5,319.01 WITH BLACK HORSE BRIDGE CO FOR NAVARRE ROAD SANITARY SEWER & BRIDGE PROJ, GP 1159; EMERGENCY (PPCI)
- 2ND RDG 12. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, REC BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCHASE OF TWO (2) ASPHALT PATCHERS; AUTHORIZE MAYOR OR SERV DIR TO ALTERNATIVELY PURCHASE SAID ASPHALT PATCHERS PURSUANT TO STATE COOP PURCH AGMTS; AMEND APPROP O#264/2013; EMERGENCY (\$65,000.00 FROM UNAPPROP BAL 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 202210 STREET MAINT - OTHER) (PPCI)

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

- 208/2014 13. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY. (1501 HENRY AVENUE SW., CANTON, OHIO FROM B-2 (NEIGHBORHOOD BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) IN WARD 5)
PUB HRG 10/6/14 @ 7:30 PM
- 209/2014 14. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AN AMT NOT TO EXCEED \$200,000.00 FOR WORK TO BE PERFORMED AT FORMER OHIO CAST PRODUCTS, INC. UNDER CLEAN OHIO ASSISTANCE FUND; AMEND APPROP O#264/2013; EMERGENCY(\$200,000.00 FROM UNAPPROP BAL OF 2814 CLEAN OHIO FUND TO 2814 506001 CLEAN OHIO - OTHER)
- 210/2014 15. AMEND O#88/2012; EMERGENCY (STARK STATE PARKING - \$15.00 PER SPACE)
- 211/2014 16. AUTHORIZE MAYOR, SERV DIR OR SAF DIR TO COMPLETE CONTRACT PROC FOR AULTCARE CORP AND UMR, INC. CONTRACTS PREV AUTHORIZED BUT NOT COMPLETED BY JAN 1, 2014; EMERGENCY
- 212/2014 17. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO COOP AGMT WITH STARK COUNTY BOARD OF COMMISSIONERS FOR WERNER CHURCH ROAD AND BRIDGE REALIGNMENT JOINT PROJ; EMERGENCY
- 213/2014 18. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER 2 IN AMT OF \$418,635.00 WITH ARCADIS US, INC. FOR 12TH ST. NW, BRIDGE REPLACEMENT AND STREETScape PROJECT, PID 90671, GP 1160; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO COOP AGMT WITH OTHER PROJECT STAKEHOLDERS; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, October 20, 2014 in Council Caucus Room at 6:45 PM**

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

MISCELLANEOUS BUSINESS: Member Morris mentioned that he doesn't appreciate the law that doesn't allow council to address constituents during Public Speaks. He did ask Law Director Martuccio if he would answer Mr. Killen's questions. Law Director Martuccio then stated that he was not a part of the incident that Mr. Killens speaks about. He's reviewed the files, but was not Law Director when any of that took place. He then asked Jim Adams to comment, on behalf of the Health Department. Director Adams stated that he worked with Law Director Bernabei at that time and that this took place approximately 25-27 years ago. He stated that there were some issues with Mr. Killens home and that they tried numerous ways to resolve them, but they couldn't be resolved. The only remedy was to tear down the house and that order was issued by the Board of Health. There were numerous Court challenges, but eventually, the house was lawfully torn down and hauled

away. Member Hawk stated that he appreciated Member Smuckler mentioning former Mayor Richard Watkins in his invocation. He also stated that when he was first interested in opening his business that he couldn't get help from anyone; however, Treasurer Perez took him to meet Mayor Watkins, who helped him get his business open. He also stated that when he decided to go into politics, it was Mayor Watkins who helped him with that also. Member Hart stated that his wife is a Senior Technician at Mercy Medical Center. He stated that her department helps to identify DNA and diseases that are easily passed, like the flu. He stated that he is glad the Health Dept. has the foresight to help get ahead of any communicable disease outbreak. Member Hart asked about the procedure for flying the Flag at half-staff, in honor of former Mayor Watkins. Mayor Healy informed Member Hart that the Flag is already at half-staff, and will be until after the funeral, which will be held on Tuesday. He also stated that Mayor Watkins was a great man. He said that we've lost 3 former Mayors since he's been in office, and that Mayor Watkins will be remembered for a long time. Member Griffin stated that he is on the Parks and Recreation Committee and gave a report about the Softball Tournament that was held. He said there were 3375 participants, 1125 spectators and that 50% of those people stayed overnight, which brought in \$907,681.00. He also commended Deputy Mayor Williams and Member Babcock for receiving awards from Boys To Men, held at the Monroe Community Center. Member West stated that he toured the Onesta again and thinks that it is beautiful and that an awesome job was done. There are already 26 events scheduled and 111 people are already scheduled to move in. He also commented on the crime reports in Canton and stated that this is happening everywhere, not just Canton. He stated that not a day goes by where Council and the Administration isn't trying to figure out how to combat crime. He asked that members in the audience, if they had any ideas or other solutions, to bring them down to Council. He said that this is a City problem, not just a Council problem, and that everyone needs to work together.

ADJOURNMENT: 8:22 P.M. _____

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 20, 2014 @ 7:30 PM