

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

APRIL 13, 2015

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not necessary

INVOCATION: William Smuckler, At-Large Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#4 - O#6; O#6 Adopted on 2nd Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Henry Preston spoke about Central Allied's employee coming in last week to speak about the procedures for putting down asphalt. He asked Council to pay full attention to what Mr. Myers said and not to discredit him because he's been an employee of Central Allied for 25 years. He also stated that he viewed a video on Channel 33's website of people performing court ordered community service in Mahoning County applying asphalt exactly as Mr. Myers said. He said that if court ordered community service workers can learn how to apply asphalt using correct techniques, why haven't Canton City street employees been taught the same application techniques. Fred Johnson spoke about his concern for what has happened to the East Tuscarawas St. area. He stated that if you drive East towards the old Letherman Seed Company, you'll notice that the area is in decay. The way the houses are kept, the trash cans are set out too early, furniture is sitting outside. The value of the houses in the area have depreciated so much that you can't afford to sell it because those owners at a certain age can't afford to buy a new one. There are tires by the gas station on Young Ave. that have been thrown all over the place. He stated that there are no service stations or grocery stores on the Southeast end, and they would like to have some of those things too because it would make their livelihood much better. Patricia Kirk, President of the Downtown Central Neighborhood Association, stated that her Association, along with Can Do, will hold a downtown celebration of Arbor Day from 9 - 1 on April 27 in the McKinley Room and the children's department of the main library. She also stated that in the future she wants to show a 1953 picture of the downtown area, before the freeway was built so that people could notice the trees. She believes downtown needs a park and the Kresge Lot is it. Some group is always using it as a park. The Christmas Village was almost invisible in the center of Market Ave. and she thinks it needs to be held on the Kresge Lot, as before. She also believes that it's the trees that control run-off flooding. She said the first thing to change to control crime is the environment. Pete DiGiacomo commended the street workers for patching the potholes on Cleveland Ave. South. He stated that they were using the rollers, putting asphalt in the holes, and there was no water in the holes. He stopped and thanked them and they were very appreciative. He also commented on the gentleman who came last week from Central Allied. He said that if that was his company and the employee did what Mr. Myers did, without consulting him, he wouldn't have a job. Bruce Nordman stated that his Group 175's primary mission is for public safety in terms of more police and firemen. He said the third peg is the streets. He said citizens are losing confidence in the direction and the problem that we're having with streets. He offered suggestions that Council go outside of the present personnel and find a consultant who will give straight information. He also suggested that the Stark Co. Commissioners and the City get together and talk about what can be done. His last suggestion was that Council get together with the Neighborhood Associations and speak to the citizens and get their ideas. Mr. Nordman also wanted to recognize Park Director, Derek Gordon, who has worked very well with citizen groups. He like the idea of brick streets because brick streets have stood up very well and would reduce speeding. Patricia Howard had members of the 50 Plus Neighborhood Associations in the Canton area to stand. She voiced her concern about the quality of their children's education, health, safety, and the security of the most vulnerable residents. She asked that the Council, street workers, and the Safety Director put their needs first and take care of things that they are concerned about. They know there are many issues in each neighborhood such as streets needing paved, vacant lots being in disarray, noxious weeds and grass cutting. She's glad that the houses that were in a derogatory condition have been town down, but now they would like the grass and weeds cut before it becomes in issue and help to make it a great summer for everybody. Gwen Corbit, President of the East Lincoln Highway Neighborhood Association, thanked the City for the work that they have done with the vacant lots and grass in her neighborhood. Her problem is with the potholes and she's asking the City to expedite their filling of the potholes. She stated that she worked with Dir. Gordon on Lee Park and helped to expand that. She's been told that some things are going to be done over there because there is no place for recreational activities, no plug ins, or things like that. She asked that Council come over and see their beautiful neighborhood. Stark County Community Foundation gave them money to put flowers out. She again thanked Council for their help with her neighborhood, which runs from Madison to Belden and from East Tuscarawas to 8th St. Christopher Leach, Chairman of the Swift Neighborhood Assoc. stated that he went to the Hall of Fame and listened to the State of the City address that the Mayor gave and was really impressed with what has been done to improve Canton. He liked that the Mayor shared the successes. He said he understands that the City does get a break with the electricity. When you sign up and notices are sent out giving people the option of going with the same carrier as the City, there were no envelopes in the notices. He stated that he couldn't call so he had to provide his own envelope and stamp to get a response. He felt that it should be the other way. If he wants to get onboard with the City's company, then it should have been his option to contact them, not backwards. He understands that more police are being hired, but he noticed that there are lots of cars with lots of damage. He said if you were to go to the State and have your car inspected, these cars would not pass inspection because they have no headlights, no turn signals, and smashed out windshield. He wanted to know if the new officers could pull these people over and see if they have a license or insurance. In his neighborhood he has lots of rentals and in the past week, 2 of the rentals became vacant. One landlord paid for a dumpster, the other landlord put all of the trash out and let the City take it away. He doesn't believe these landlords should be getting the same rate as he does, since they're making a profit. Also, he wanted to know how long rentals are inspected.

INFORMAL RESOLUTIONS:

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| 15. PERSONNEL CMTE: | RE-APPT DON TARVER TO BOARD OF BUILDING APPEALS COMMENCING RETRO TO 1/1/15 - 12/31/17. - ADOPTED |
| 16. PERSONNEL CMTE: | RE-APPT WILLIAM EUSTATHIOS TO BOARD OF BUILDING APPEALS COMMENCING RETRO TO 1/1/15 - 12/31/17. - ADOPTED |

COMMUNICATIONS:

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| 140. COUNCIL-AS-A-WHOLE: | REQ LEGISLATION ENACTING AN ANIMAL CRUELTY ORD IN CITY OF CANTON THRU AMENDMENT TO CANTON CODIFIED ORD CHAPTER 505 OR OTHERWISE. - JUDICIARY COMMITTEE |
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COMMUNICATIONS CONTINUED:

141. COUNCIL-AT-LARGE HART: LTR TO SERV DIR REG THE 12TH ST. CORRIDOR PROJECT RESURFACING. - RECEIVED & FILED
142. LIQUOR CONTROL DIV (OHIO): REQ TRANSFER OF C1 C2 PERMIT FROM SUNNYS DRIVE THRU LLC TO PEACH ENTERPRISES LLC, DBA PEACHES DRIVE THRU @ 1901 HARRISBURG RD NE (WARD 9). - RECEIVED & FILED
143. MAYOR HEALY: REQ AUTHORIZATION TO RE-APPT AMY LAKRITZ, MD, TO CANTON CITY BOARD OF HEALTH FOR 5 YR. TERM COMMENCING 5/3/15 - 5/2/20. - PERSONNEL COMMITTEE
144. MAYOR HEALY: REQ AUTHORIZATION TO APPT PATRICK WYATT TO CANTON CITY HEALTH DISTRICT LICENSING COUNCIL FOR 5 YR. TERM COMMENCING 5/1/15 - 4/30/20. - PERSONNEL COMMITTEE
145. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO COOP AGMT WITH ODOT; AUTHORIZE CITY OF CANTON TO CONTRIBUTE \$50,000.00 TO FINAL DESIGN OF PROJECT, CONTINGENT UPON ODOT BEING AWARDED GRANT; FUNDING NOT NEEDED UNTIL CALENDAR YR 2016 (US30 EXTENSION). - FINANCE COMMITTEE
146. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR MARCH 2015. - RECEIVED & FILED
147. TREASURER PEREZ: RPT OF AMBULANCE LOCK BOX ACCT FOR MARCH 2015. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS WATER RECLAMATION FACILITY ANNEXATION AREA CONTAINING APPROX 184.450 ACRES; ASSIGN TERRITORY TO WARD 4; ZONE TERRITORY AS I-2 (HEAVY INDUSTRIAL); EMERGENCY **(PUB HRG 4/27/15 @ 7:30PM)**
Referred to Annexation Committee

- 1ST RDG 2. AMEND APPROP O#266/2014; EMERGENCY (\$35,000.00 SUPP APPROP FR UNAPPROP BAL OF 2322 DENTAL SEALANT FUND TO 2322 DENTAL SEALANT - OTHER)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:56 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #3; RECONVENED AT 8:09 PM)

- 1ST RDG 3. AUTHORIZE CITY AUDITOR TO PAY AMT NOT TO EXCEED \$150,000.00 TO NORTHSTAR ASPHALT, INC.; EMERGENCY (EMERGENCY POTHOLE PATCHING)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD 2ND RDG O#4 - O#6; O#6 ADOPTED ON 2ND READING)

- 2ND RDG 4. AUTHORIZE MAYOR, SAF DIR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF VARIOUS VEHICLES AND/OR EQUIP; ALTERNATIVELY PURCH SAID VEHICLES AND/OR EQUIP PURSUANT TO STATE COOP PURCH AGMTS; ENTER INTO CONTRACT FOR 1 LADDER TRUCK WITH PUMP IN ACCORDANCE WITH ORC SEC 125.04; ENTER INTO 5 YR LEASE AGMT FOR ABOVE LADDER TRUCK WITH PUMP FOR ESTIMATED AMT OF \$252,000.00 PER YR; AMEND APPROP O#266/2014; EMERGENCY (7 FORD POLICE INTERCEPTER SUV'S; 1 PUMPER TRUCK FOR FIRE DEPT; 1 HYDRAULIC COUPLER LOADER FOR STR DEPT; SUPP APPROP OF \$875,000.00 FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCH FUND TO 4502 102001 POLICE ADMIN - OTHER FOR \$307,000.00, TO 4502 103001 FIRE ADMIN - OTHER FOR \$408,000.00, AND TO 4502 202210 STR MAINT FOR \$160,000.00) (PPCI)

- 2ND RDG 5. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER 3 IN AMT OF \$324,248.00 WITH ARCADIS US, INC. FOR 12TH ST NW, BRIDGE REPLACEMENT AND STREETScape PROJ, PID 90671, GP 1160; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO COOP AGMTS WITH OTHER PROJ STAKEHOLDERS; AMEND APPROP O#266/2014; EMERGENCY (\$94,781.40 SUPP APPROP FR UNAPPROP BAL OF 4506 INFRASTRUCTURE BOND FUND TO 4506 202091 INFRASTRUCTURE BOND - 12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJ, PID 90671, GP 1160 - OTHER; \$29,466.60 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202091 CAPITAL FUND - 12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJ, PID 90671, GP 1160 - OTHER; \$200,000.00 APPROP TRF FR 2113 202001 MUNICIPAL RD FUND ENG ADMIN - OTHER TO 2113 202091 MUNICIPAL RD FUND - 12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJ, PID 90671, GP 1160 - OTHER) (PPCI)

- 7/7/2015 6. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,500,000.00 FOR COSTS OF REVITALIZATION WITHIN CITY AND ADDRESSING PROP CONDITIONS FOR PUBLIC HEALTH AND SAFETY THRU DEMO OF DETERIORATING STRUCTURES AND IMPROVEMENT OF THOSE SITES; EMERGENCY (REVITALIZATION NOTES, SERIES 2015A) (FIN and C&ED)

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

- 78/2015** 7. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$1,400.00 FOR ACY COMMUNICATIONS FOR PROF SERV PERFORMED IN FEBRUARY, 2015; EMERGENCY (DETECTIVE BUREAU)
- 79/2015** 8. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$342.60 TO REMINGTON ARMS CO. INC. FOR WORK PERFORMED IN NOVEMBER, 2014; EMERGENCY (POLICE DEPARTMENT)
- 80/2015** 9. AMEND APPROP O#266/2014; EMERGENCY (SUPP APPROP OF \$19,744.22 FR UNAPPROP BAL OF THE 2761 ENFORCEMENT AND EDUCATION FUND TO 2761 102001 POLICE ADMIN - OTHER)
- 81/2015** 10. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT AND TO EXECUTE A PROF SERV CONTRACT FOR CONSTRUCTION OVERSIGHT SERV FOR APPLGROVE STREET/MIDDLEBRANCH AVENUE/WERNER CHURCH ROAD PROJECT - CITY ONLY PORTION; AMEND APPROP O#266/2014; EMERGENCY (SUPP APPROP OF \$1,260,000.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207034 APPLGROVE/MIDDLEBRANCH/WERNER CHURCH WATER MAIN PART A - CITY ONLY PORTION - OTHER)
- 82/2015** 11. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO SECOND SUPP AGMT TO THE CANTON/HARTVILLE CONTRACT 2002-66 AND ENTER INTO PROF SERV AGMT FOR CONSTRUCTION OVERSIGHT FOR HARTVILLE PHASE III WATER MAIN EXTENSION PROJECT; AMEND APPROP O#266/2014; EMERGENCY (SUPP APPROP OF \$1,060,497.00 FR UNAPPROP BAL OF THE 5201 WATER FUND TO 5201 207026 HARTVILLE WATER MAIN EXTENSION - OTHER)
- 83/2015** 12. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR COSTS ASSOCIATED WITH ABATEMENT OF NOXIOUS WEEDS, GRASS OF RANK GROWTH AND LITTER; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, April 20, 2015 in Council Caucus Room at 6:45 PM**

- 1) Finance Committee
- 2) Annexation Committee
- 3) Personnel Committee

MISCELLANEOUS BUSINESS: Member Fisher addressed Mr. Leach's issues. He also stated that Mr. Leach always dresses in shorts, even in 15 below zero temperatures. He asked that Mr. Leach send him the address of the property where the landlord didn't bring a dumpster out after the eviction. He will send it to the proper department. He also stated that in 2009 - 2010, there was a change in the mandatory inspections. It used to be every 3 - 5 years. Those inspections are now complaint driven and there is no schedule. Law Director Martuccio stated that it was periodic but changed after a lot of debate. There is a mandatory inspection when the property becomes a rental, but after that it is complaint driven. He also spoke about the electric aggregation. He said that many years ago, there was an opt-in first, where people could come into the program to buy gas at a discounted rate. When they went to the opt-out the following year, by ballot, 70% of the people agreed to let the City broker the gas and electricity. There was a gentleman who was upset and almost struck him because he had to use his own stamp and envelope. After that they made sure with the Service Director that the Broker always negotiates the right to opt-out by phone or computer, so citizens would not have to spend any money. He stated that there was recently a screw up and a number of letters went out to the wrong people saying the wrong things. First Energy Solutions is doing the best they can to solve the issue. The issue was also brought to the Broker's attention, they contacted First Energy as well as the PUCO. Mr. Martuccio stated that he would be happy to reimburse Mr. Leach for the stamp and envelope. He also thanked everyone for coming and raising issues and keeping both branches of the City, Executive and Legislative, accountable. He also made a historical note that last Thursday at 3:15, a series of loud bells began to ring very loudly. The noise was the commemoration of the ending of the Civil War, 150 years ago, at that minute. At 3:15 on April 9th, the Civil War ended with the surrender at Appomattox. Judge Elum and Attorney Markijohn passed the word through many governments and museums to join together and ring all the bells they could at 3:15 on April 9th, for 4 minutes. One minute for each year of the war. He also thanked the Service Director, the Street Supt., Randy Dolak, and Cliff Graves for unlocking the large antique bell that is on the square and making it sound in celebration of the ending of the bloody era. Mayor Healy followed up with Mr. Leach also. He stated that the City is doing everything in their power to speed up the road repair. He stated that there is an ordinance that requires rental property owners to put a container out and if they don't they can be fined. He said that on the rental inspections, we converted to the International Property Maintenance Code. Rental inspections used to be every 3 years, inside and out. The new code now is not just by request, but there are regular inspections done on the exterior and if the rental property fails the exterior, then they are required to go inside. He told Mr. Leach that he could get more information on that from the Building Department. He said that all citizens can call in any address they want to make sure someone goes inside if there's a problem in the neighborhood. He also addressed the traffic bureau issue by stating that when we lost revenue from the recession and the cuts from the State Government that the City has had to live within its means. The Police and Fire numbers dropped significantly. They are currently adding more. He also has a commitment from the Police Chief who stated that when the guys are up and running from this years class, he is going to bring back a Traffic Division, which we haven't had for several years. It helped with speeding and picking up people with outstanding warrants. One other thing that will be added with the Traffic Bureau will be Weights and Measures. They are going to start checking all of the trucks. There are more trucks on the roads and many are overweight, which are destroying the roads. They will have the scales to weigh the trucks. The Mayor also stated that he received a letter from Eric Cook, President of Republic Storage. He met with Mr. Cook last week regarding the closing of his business. He also spoke to the head of the Labor Union. The company that bought Republic Storage is looking at moving some of the equipment into the Chicago area. The City of Canton will be contacting the company to negotiate with them about keeping some of the equipment here to get them back up and running. They had issues of several owners and bankruptcy. The City helped them get a million dollar loan from the State of Ohio to help them get equipment to upgrade their process. They lost over half of their business and weren't able to recover. The building was 10 times larger than what they needed. He didn't believe that the City should waste more of the taxpayers money into saving a business that was losing money and eventually would have gone out of business anyways. They will continue working with the company. Director Bartos thanked

Supt. Rorar for the work on street patching. He stated that they had told Council about their need for more equipment and wanted to bring Council up to date on the numbers since receiving the equipment. At this time last year they put down 1092.87 tons of material and at this point to date, they've put down 1581 tons, which is a 44% increase. When they add the 115 tons that the outside contracts did, that's a 55% increase. He also stated that the hot mix usage has gone up 6 times from last year's use of 33.67 tons, to 210.5 tons this year. He also stated that they are already in the process of ramping up grass mowing for this year. Notices are going out to the habitual offenders already and the contractors who mow the grass are getting ready to go within the next couple weeks. There will be a meeting with the President of Central Allied and he will report back the substance of the discussions next week. Member Hart stated that he received a letter from the head of Conotton, Sandy, Tuscarawas Valley Community Improvement Corporation saying that they've been researching brick streets and there is a machine that's made in the Netherlands that could help assist. This could be a joint venture, sharing costs between communities. He will continue to research a little further. He also thanked President Schulman for his letter to the Repository, educating people about the State's hoarding of money. He asked if the City could quantify what Canton has been able to get out of the \$20,000,000.00 that was brought in a few years ago. Deputy Mayor Williams stated that the report was done by the Canton Repository and perhaps they could shed some insight into it, but the City cannot quantify it. Member Smith thanked the Neighborhood Associations for coming out and especially thanked those from her Ward. She stated that the lady who came into the horseshoe was telling her that the Southeast did not receive any of the hot mix. She stated that there is a schedule and that they will be coming to the Southeast. Member West invited Council and the public to attend the Stark County Minority Health Coalition's Annual Conference at First Friends Church on April 24th. It's free and you only need to sign up on the Stark County Mental Health Board's website. There's also a Hoops for Health event on the 18th, which is a health expo at Malone College. President Schulman asked the citizens of the Neighborhood Associations to contact their Legislators regarding the State sitting on approximately 2 million dollars when the cities are starving and in need of repair,

ADJOURNMENT: 8:41 P.M.

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, APRIL 20, 2015 @ 7:30 PM