

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

CANTON CITY COUNCIL

APRIL 20, 2015

**BEFORE ROLL CALL: MOMENT OF SILENCE IN REMEMBRANCE OF PASTOR GEORGE DUNWOODY**

**ROLL CALL:** All Members Present

**MOTION TO EXCUSE MEMBERS:** Not necessary

**INVOCATION:** Greg Hawk, Ward 1 Council Member

**PLEDGE OF ALLEGIANCE:** President Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#2 - O#4; O#4 adopted on 2<sup>nd</sup> Rdg as Amended)

**PUBLIC HEARINGS:** None

**OLD BUSINESS (PUBLIC SPEAKS):** Addressed Neighborhood Group Representative, Fred Johnson's issue regarding gas station on East Tusc & Rowland

**PUBLIC SPEAKS (CITY BUSINESS):** Pete DiGiacomo spoke about patching potholes, and said that the Street Department is doing a very good job. However, as far as Central Allied, he feels that by giving out information they sound like the good guys when in fact they've stuck it to the City for years. He said that if Mike Rorar had not investigated and found another company, Central Allied would have never come forward with the proper material. Charles Killins spoke about the violation of people's Constitutional and Civil Rights, indicating that he has contacted the Federal Court regarding this issue. He also circulated a pamphlet from the Bar Association regarding Civil Rights. Greg Coleridge, Director of Citizens United, encouraged Council to endorse Resolution #17 from Member Mariol calling for a Constitutional Amendment to end the legal notion of corporate personhood and money being equal to free speech. He said this is a Democracy issue, and we must change the fundamental grounds rules and restore the rights of citizens to define what corporations do. Henry Preston spoke about the patching of the roads in Market Heights and indicated that Northstar is doing a great job. He thanked Member Mack for taking an interest in the condition of these roads due to heavy equipment use and how this can be corrected by using the proper material.

**INFORMAL RESOLUTIONS:**

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| 17. COUNCIL-AS-A-WHOLE: | URGING FED AND STATE LEGISLATORS TO AMEND U.S. CONSTITUTION TO ABOLISH CORPORATE PERSONHOOD AND DOCTRINE OF MONEY AS SPEECH. - ADOPTED |
| 18. PERSONNEL CMTE:     | RE-APPT AMY LAKRITZ, MD TO CANTON CITY BOARD OF HEALTH COMMENCING 5/3/15 - 5/2/20. - ADOPTED   |
| 19. PERSONNEL CMTE:     | APPT PATRICK WYATT TO CANTON CITY HEALTH DISTRICT LICENSING COUNCIL COMMENCING 5/1/15 - 4/30/20. - ADOPTED                             |

**COMMUNICATIONS:**

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| 148. COUNCIL-AT-LARGE HART:            | URGING MAYOR TO REPLACE CIVIC CTR SCOREBOARD WITH MORE MODERN CAVALIER'S SCOREBOARD. - RECEIVED & FILED   |
| 149. PLANNING COMMISSION:              | AUTHORIZE REPLAT OF LOT 7855 AND PARTS OF LOTS 7854, 7851, 7865, 7856, 7857 AND VACATED PORTION OF 15' ALLEY (HOB NOB TAVERN, 1604 HARRISBURG RD NE, WARD 9). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE   |
| 150. PLANNING COMMISSION:              | AUTHORIZE ZONE CHANGE FOR HOB NOB TAVERN FROM R-1a - SINGLE FAMILY RESIDENTIAL TO PB-2 - PLANNED NEIGHBORHOOD BUSINESS (1604 HARRISBURG RD NE, WARD 9). - JUDICIARY COMMITTEE   |
| 151. PLANNING COMMISSION:              | APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR LESH-EVERETT ANNEXATION (ZONING CLASSIFICATION R-2 - TWO FAMILY RESIDENTIAL, WARD 6). - ANNEXATION COMMITTEE  |
| 152. PLANNING COMMISSION:              | AUTHORIZE ZONE CHANGE FOR FOP MCKINLEY #2 FROM PB-3 GENERAL BUSINESS TO PB-4 PLANNED SPECIAL BUSINESS (1411 CHERRY AVE NE, WARD 2). - JUDICIARY COMMITTEE   |
| 153. PLANNING COMMISSION:              | AUTHORIZE ZONE CHANGE FOR DR. JAMES D. JOHNS FROM R-2 TWO FAMILY RESIDENTIAL TO PB-2 PLANNED NEIGHBORHOOD BUSINESS (211 15 <sup>TH</sup> ST NW, WARD 9). - JUDICIARY COMMITTEE  |
| 154. P. OWNERS, TERRY & WILLIAM NOLAN: | REQ AUTHORIZATION FOR ZONE CHANGE LOCATED AT 12 <sup>TH</sup> ST AND CHERRY AVE NE, WARD 2 (STANDARD PRINTING) - PLANNING COMMISSION  |
| 155. SAFETY DIRECTOR PERRY:            | REQ \$501.11 SUPP APPROP FR UNAPPROP BAL 2783 - 2014 FIRE DONATION FUND TO 2783 103001 - 2015 FIRE DONATION FUND - OTHER LINE 73.458 - MISC SUPPLIES, AND \$7,868.79 SUPP APPROP FR UNAPPROP BAL 2812 - 2014 EMS TRAINING/EQUIP TO 2812 103001 - 2015 EMS TRAINING/EQUIP - OTHER AS FOLLOWS: \$3,000.00, TO LINE 734.58 - MISC SUPPLIES, \$3,000.00 TO LINE 734.17 - EQUIPMENT (\$0-500), AND \$1,868.79 TO LINE 772.20 - REGISTRATION. - FINANCE COMMITTEE |

**COMMUNICATION CONTINUED:**

156. SAFETY DIRECTOR PERRY: REQ \$4,524.16 SUPP APPROP FR UNAPPROP BAL 2769 - 2011 EDWARD BYRNE GRANT TO 2769 102001 POLICE ADMIN - OTHER, \$62.09 SUPP APPROP FR UNAPPROP BAL 2771 - 2012 EDWARD BYRNE GRANT TO 2771 102001 POLICE ADMIN - OTHER, AND \$18,825.49 SUPP APPROP FR UNAPPROP BAL 2772 - 2013 EDWARD BYRNE GRANT TO 2772 102001 POLICE ADMIN - OTHER. - FINANCE COMMITTEE
157. SERVICE DIRECTOR BARTOS: ADVISING THAT COOLING SYSTEM FOR SEARS BLDG IS NOT OPERATIONAL AND THE BLDG REQUIRES A NEW COOLING TOWER COIL AND 2 NEW HVAC CIRCULATING PUMPS, AND THAT PURSUANT TO SEC 105.04 OF CODIFIED ORDINANCES, REQUIRES USE OF CITY'S EMERGENCY CONTRACTUAL PROCEDURES. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
158. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS WITH DIR OF TRANSPORTATION TO PERFORM MISC BRIDGE WORK ON 3 STRUCTURES ON US62 FOR STA-US62-18.70, PID 88956, GP 1225 PROJ. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
159. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS WITH DIR OF TRANSPORTATION TO PERFORM MISC BRIDGE WORK ON REFERENCED BRIDGE ON US30 FOR STA-US30-14.89, PID 99566, GP 122 PROJ. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
160. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS WITH DIR OF TRANSPORTATION TO PERFORM DECK SEALING ON STA-SR43-12.39 AND STA-US62-18.82 BRIDGES FOR D04-BRIDGE SEALING, PID 100004, GP 1227 PROJ. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
161. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 3/31/15. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

- 1<sup>ST</sup> RDG 1. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO COOP AGMT WITH ODOT FOR STA-US30-18.35 EXTENSION, PID 20344, GP 1141 PROJ; AUTHORIZE \$50,000.00 CONTRIBUTION TO FINAL DESIGN PROJ; EMERGENCY (EXT OF US 30 EAST OF CANTON FROM TRUMP RD TO SR 44)  
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**

**(SUSPENDED RULE 22A TO ADD 2<sup>ND</sup> RDG O#2 - O#4; O#4 ADOPTED ON 2<sup>ND</sup> READING AS AMENDED)**

- 2<sup>ND</sup> RDG 2. 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 @ 7:30 PM)** (ANNEX)
- 2<sup>ND</sup> RDG 3. AMEND APPROP O#266/2014; EMERGENCY (\$35,000.00 SUPP APPROP FR UNAPPROP BAL OF 2322 DENTAL SEALANT FUND TO 2322 DENTAL SEALANT - OTHER) (FIN)

**AMENDED**

- 84/2015 4. AUTHORIZE CITY AUDITOR TO PAY AMT NOT TO EXCEED \$150,000.00 TO NORTHSTAR ASPHALT, INC.; EMERGENCY (EMERGENCY POTHOLE PATCHING) (FIN)

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

- 85/2015 5. 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)

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

- 86/2015** 6. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER 3 IN AMT OF \$324,248.00 WITH ARCADIS US, INC. FOR 12<sup>TH</sup> 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 - 12<sup>TH</sup> 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 - 12<sup>TH</sup> 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 - 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETScape PROJ, PID 90671, GP 1160 - OTHER)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:**

**MONDAY, April 27, 2015 in Council Caucus Room at 6:40 PM**

**1) Finance Committee**

**2) Public Property Capital Improvement Committee**

**MISCELLANEOUS BUSINESS:** Member Hawk said that he agreed with Mr. DiGiacomo regarding Central Allied and the fact that we couldn't get the right patch until we went somewhere else. However, he did say he would reserve further comment until they get the full story at the meeting with Central Allied. President Schulman indicated that Central Allied is a company within the City, is a Union shop, and while they may deserve some criticism, we need to find out what is really going on. He said they've been there for us in the past, and we should keep that in mind. Member Mariol indicated that he was very satisfied with the answers he's gotten from Central Allied, and agrees we need to give them a chance. Law Director Martuccio thanked Mr. Coleridge for his comments regarding Member Mariol's Resolution. He also thanked Member West for the moment of silence for Pastor Dunwoody and said that he remembers him well. Mayor Healy said that in honor of Pastor Dunwoody the flags were flown at half mast today and would be all week. He said the Pastor will be missed. Member Hawk thanked the police department and Project Rebuild for the clean up they did in Ward 1.

**ADJOURNMENT:** 8:05 P.M.