

**FINAL**  
**AGENDA**  
7:30 PM

CANTON CITY COUNCIL

OCTOBER 3, 2011

*Moment of Silence held before meeting for Council Member West and Fair Housing Director Lori Stokes for the losses they have suffered.*

**ROLL CALL:** Eleven Members Present

**MOTION TO EXCUSE MEMBERS:** Member West Absent

**INVOCATION:** Mark Butterworth, Ward 8 Council Member

**PLEDGE OF ALLEGIANCE:** President Allen Schulman

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

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** County Commissioner Tom Bernabei asking voters to approve a ½% sales tax for 8 year period to help cover criminal justice services. He is asking all 35 government agencies to support this. Stark is the only county in Ohio without sales tax toward government. This tax would generate \$22,000,000.00 over a one year period. The property taxes pay only 4% into the general fund for the county and the other 96% cover service agencies within the county. There has been a 14 ½% reduction in county staff over the last 2 years and if this tax does not pass the staff will have to be reduced even further making the jail go from 500 beds to 122. All public safety will be effected if tax not passed because only serious felons such as murders and rapists will be in jail and all others will be released. Judge Stephen Belden says that each municipal judge currently has 15 beds at the Stark County Jail that they can send offenders to and if the county sales tax does not pass these beds will no longer be available to them so they will have no way of sentencing anyone to jail. The repeat criminals need to know there is a threat of going to jail. Word is already out on the street that in December people may no longer be going to jail so they are starting to not even show up for court. In 2010 there was \$1,900,000.00 collected in court costs and if people are not coming to court the city will not collect this money so the county sales tax is absolutely necessary. William Sherer Sr. knows that this is vital for both the county and the city because without a sales tax any new infrastructure will stop in the county and no new business will want to locate here. If this sales tax passes, Stark County will still have the lowest tax in the state. The failure of this tax to pass will cause most county offices to be closed one or two days per week and even the coroner will not be able to keep up with the autopsies. Many deaths certificates will state the cause of death as unknown and this could prevent insurance companies to not pay claims. Dan McMasters is here as a citizen and the co-chair of the committee regarding the county sales tax. He has had a background in agencies that work with mental health as well as drug and alcohol rehabilitation and how many of these individuals are a part of the criminal system. He is aware that if these people are not sentenced to jail many more will become repeat offenders. The estimated loss of income tax to the city if the county sales tax is not passed will be about \$400,000.00 annually. On December 8, 2011 the jail will virtually close since criminals will no longer be booked there and crimes like shoplifting will not even be considered for jail. Mr. McMasters is worried about his city. Safety Director Ream agrees with all the speakers. This problem is already affecting the crime fighting abilities within the city of Canton. He has provided a list of the repeat offenders that have already been released due to the lack of bedding. The non-passage of the county sales tax will affect the entire community and he stands with the people in an effort to pass this tax. Mayor Healy states that there is an evolution of the budget highs and lows within government and feels that all should be aware that approximately .70 cents for each \$1.00 in the city general fund goes toward safety. All other levels of government affect the amounts of money that come into the city so when there is a loss by the federal, state or county funding, the city also receives less. The city just can't update their jail without extra funds so bookings will not take place at the city level and these criminals will be in the streets. He will vote for and endorse the levy for the county sales tax and hopes all others will as well. President Schulman says that it is very clear that this will affect everything in our community. Member Cirelli states that the County Commissioners can impose this tax themselves so if they feel that strongly about it they should just put it in place and force it on the general public. Perhaps this is their duty for the good of the county. She has been told in the past that Council Members should not endorse any levies. Sheriff Tim Swanson has been the Sheriff since 1999 and the jail has struggled financially for most of that time. In the past, criminals were booked in Massillon, Alliance and Canton and now because of the centralization of this service, all bookings are done at the County Jail. He has had to reduce staff over the past 2 years and will have to reduce even further if the tax does not pass. The jail will go from 500 beds to 122 beds at the new pod facility because it is easier to staff and have security over the inmates. He has met with the police chiefs in the cities of Stark County and made them aware that officers will only be issuing summons to appear in court because there will be no where to place a person for disorderly conduct, drunkenness, burglary, assault, etc. and then the hospitals will have more people coming into the ER because there is nowhere else to take some of these people. Service Director Price says that what cells are downstairs in City Hall does not meet any state requirements for a jail. It would cost so much to renovate or demolish that neither are feasible. It will be so much cheaper for all to pass the county sales tax and continue the process that is in place. Member Cirelli asked Sheriff Swanson why he has not approached the County Commissioners and asked them to earmark money strictly for safety. Sheriff Swanson stated he did ask for a safety levy. There are specific things that can be asked for in a levy. If the tax passes he will be worked back up to a specific number of beds each year until capacity is reached again. Member Cirelli asks if the sales tax is only for criminal justice or if she has been mislead? President Schulman asks Member Cirelli to please wait until we reach the point of the meeting for the Resolution to continue her questions. Cindy Hall lives across the street from the old Lehman School and she has been skeptical about a free clinic bringing the school back to life. She is aware that there are expenses to running a business even if the service provided is free to the public. She went to the CCIC meeting where the intentions for the building were discussed and now knows that this going to be a treatment and re-entry clinic. She would have preferred that all information was discussed prior to this point. Bruce Brewer has 560 homes in the Vassar Park Neighborhood Association and with the help of the police department and the administration some of the crime in their area has been knocked down. He wanted to thank everyone but remind them there was still work to be done. Constance Brown says that communication is one of the biggest challenges of making government work. There are all types of technical communications now with voice mail, email, etc. and still many questions are unheard or if heard not listened to from the public to the elected officials. She says that rather than attacking or ignoring each other, she would like to see a happy medium through communications to accomplish things for the city. Veronica Callahan had all N.A.V.E. members stand. She has been at the Leadership Council for 14 years now and is here to thank everyone but always wants to provide a place where there can be improvement. In order to make changes in the city the Neighborhood Groups decided to come together with the Council and the administration because there is still crime and families in the city that are struggling. Many cannot make rent even though they are working. They are in need of social services, in need of churches and still need neighborhood groups. She would like to see a time when the Neighborhood Groups were not told what to do but allowed to let them provide answers to what can be done in their communities. Kathryn Ramsey of the Crystal Park Neighborhood Association loves all things old but thinks a scrapper took her old gate from the yard that was a gift from her husband. She wants the sales tax passed to keep these thieves in jail. Brenda Kimbrough says that N.A.V.E. would like to invite all to the Candidates Night on October 10, 2011 at the McKinley Grand. She thanked all of the departments in the city that provide the services that all citizens rely on and thanked Council for Public Speaks. Edward

Daniels is a member of Brother Production Inc. which is a non-profit organization that partners with schools and other non-profit agencies on many levels. They are currently doing mentoring at Hartford School. He wanted to invite all to a Humanitarian Awards dinner that will be held on October 22, 2011 in which Ruby Brogdon will be recognized.

**INFORMAL RESOLUTIONS:**

28. CNCL MBRS DOUGHERTY, PRATER, COLE, SMUCKLER, HAWK, GRIFFIN, SMITH, BARTON, HORNER: IN SUPPORT OF THE PROPOSED STARK COUNTY SALES TAX. - ADOPTED

**COMMUNICATIONS:**

344. FINANCE DIRECTOR DIRUZZA: AMEND O#245/2010 FOR \$16,000.00 SUPP APPROP FROM UNAPPROP BAL 1001 GENERAL FUND TO 1001 501101 HUMAN RESOURCES ADMIN. - FINANCE COMMITTEE
345. HAWK , G. WARD 1 CNCL MBR & GRIFFIN, J. WARD 3 CNCL MBR: AUTHORIZE LEGISLATION TO ACCOMPLISH THE GOAL OF REDUCING OR ELIMINATING ILLEGAL POSSESSION OF WEAPONS BY CHILDREN AND CRIMINALS; \$35,000.00 SUPP APPROP FROM 1001 UNAPPROP BAL OF GENERAL FUND TO 1001 102000 POLICE - OTHER. - FINANCE COMMITTEE
346. HEALTH COMMISSIONER ADAMS: REQ \$110,000.00 APPROP FROM UNAPPROP FUNDS OF 2328 PHEP FUND TO OTHER LINE ITEM FUND 2328 PHEP FOR BUDGET PERIOD 8/10/11 - 8/9/12. - FINANCE COMMITTEE
347. MAYOR WILLIAM HEALY: REQ APPRVL FOR RE-APPT OF MR. CHARLES DEGRAFF TO STARK COUNTY REGIONAL TRANSIT AUTHORITY BOARD FOR 3 YR RETRO TERM OF 9/1/11 - 08/31/14. - PERSONNEL COMMITTEE
348. SAFETY DIRECTOR REAM: REQ COUNCIL TO ACCEPT AND APPROP \$2,000.00 DONATION FROM WEST PARK NEIGHBORHOOD ASSOC FOR PURCHASE OF TWO SECURITY CAMERAS AND EXPENSES RELATED TO INSTALLATION OF EQUIP. - FINANCE COMMITTEE
349. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR TO SUBMIT APPLICATION TO OHIO DEPT OF DEV, EXECUTE GRANT AGMT W/THE ODOD & ACCEPT UP TO \$3,000,000.00 IN JOB READY SITE FUNDS; CCIC WILL PROVIDE REQUIRED MATCH FOR PROJ; AUTHORIZE AUDITOR TO ESTABLISH A SEPARATE FUND FOR RECEIPT & DISBURSEMENT OF JOB READY SITE FUNDS AND DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
350. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ENTER INTO A 15 YR POWER PURCHASING AGMT WITH ENER-G SOLUTION PARTNERS FOR PURPOSE OF INSTALLATION OF SOLAR PANEL FIELDS ON CITY OWNED PROP; CITY WILL HAVE OPTION TO PURCHASE SYSTEM IN YR SEVEN OF THE AGMT. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE

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

- 1<sup>ST</sup> RDG 1. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A FUNDING AGMT W/J.R. COLEMAN IN AMT NOT TO EXCEED \$145,000.00 TO PROVIDE FACADE & STREETScape IMPROVEMENTS ALONG THE MAHONING RD CORRIDOR; EMERGENCY  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZE SERV DIR TO ADVERTISE; RECV BIDS & ENTER INTO CONTRACT FOR PURCHASE OF VARIOUS VEHICLES FOR THE PARK DEPT; AUTHORIZE SERV DIR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO THE STATE COOP PURCHASING AGMT &/OR OHIO DEPT OF TRANSPORTATION PURCHASING AGMT; EMERGENCY  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG 3. AMEND EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (ADMIN CLERK - WATER RECLAMATION FACILITY)  
Referred to Personnel Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#4)**

- 2<sup>ND</sup> RDG 4. AUTHORIZE SERV DIR TO SELL THE CURRENT BASKETBALL FLOOR & BACKBOARD UNITS @ THE CIVIC CENTER BY SEALED BID OR PUBLIC AUCTION; EMERGENCY (PPCI)

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

- TO CMTE** 5. AMEND CHAPTER 749, ITINERANT RETAILERS, OF CODIFIED ORDINANCES OF CITY OF CANTON

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

- 10/17/11** 6. AUTHORIZE THE AUDITOR TO ESTABLISH THE 2531 NIMISILLA PARK FUND
- 167/2011** 7. AUTHORIZE MAYOR AND/OR SERV DIR TO AMEND THE GEORGETOWN RD COOP ECONOMIC DEVELOPMENT AGMT (CEDA) TO INCLUDE THE BROAD AVE ANNEXATION AREA; EMERGENCY
- 168/2011** 8. AMEND APPROP O# 245/2010, AS AMENDED, BY MAKING VARIOUS SUPP APPROP AND APPROP TRANSFERS; EMERGENCY (FOR CITY'S CONTINUING OPERATIONS)
- 169/2011** 9. AMEND APPROP O#245/2010; EMERGENCY (HEALTH DEPT)
- 170/2011** 10. AMEND APPROP O# 245/2010, AS AMENDED, BY MAKING \$10,000.00 SUPP APPROP FROM 1001 GENERAL FUND TO 1001 60-20-01 COUNCIL CITY STREET VACATE EXPENSE - OTHER; EMERGENCY
- 171/2011** 11. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A COOP AGMT WITH AKRON METRO FOR CONSTRUCTION OF WEST SIDE PARKS TRAIL PROJ, GP 1093; EMERGENCY
- 172/2011** 12. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A COOP AGMT WITH AKRON METRO FOR CONSTRUCTION OF WEST SIDE INTERCEPTOR SANITARY SEWER REHABILITATION PROJ, GP 1138; EMERGENCY
- 173/2011** 13. AUTHORIZE MAYOR TO ENTER INTO CONTRACT WITH OHIO DEPT OF TRANSPORTATION FOR UPGRADING OF INTERSECTIONS; EMERGENCY (NAVARRE RD SIGNAL SYSTEM)
- 174/2011** 14. AUTHORIZE & CONSENT TO REPAIR OF THE BRIDGE ON OFF RAMP FROM EASTBOUND US 62 TO NORTHBOUND I77 OVER I77; EMERGENCY
- 175/2011** 15. AUTHORIZE & CONSENT TO RESURFACE US 30 FROM SR 43 TO EASTERN CORP LINE WITH MISCELLANEOUS BRIDGE WORK WITHIN CITY OF CANTON; EMERGENCY
- 176/2011** 16. AUTHORIZED AUDITOR TO PAY \$36,950.00 TO BELL EQUIPMENT CO; EMERGENCY
- 177/2011** 17. AUTHORIZED SERV DIR TO ENTER INTO CONTRACT WITH OHIO POWER CO TO PROVIDE ELECTRIC ENERGY TO THE N.E. WATER TREATMENT PLANT; EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****THURSDAY, OCTOBER 13, 2011 in Council Chamber at 5:00 P.M.**

Discuss Itinerant Retailers Legislation

**MONDAY, OCTOBER 17, 2011 in Council Chamber at 6:30 P.M.**

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

**MISCELLANEOUS BUSINESS:** Member Cirelli says that in the spring there was legislation passed about a smoke detector with a 10 year non-removable battery that was to be passed out by the Fire Dept. The ones that were given to the citizens were not the ones she requested and now she is receiving calls that these detectors are beeping because the 9 volt battery needs replaced. Safety Director Ream knows that the Fire Department did research and wanted to provide the best possible model of detector to the residents with the money from the grant. Member Cirelli states that she was trying to save lives because many people remove the batteries from standard detectors and with the non-removable batteries this can't be done. Safety Director Ream stands behind the Fire Department and he has not received any calls about these detectors. President Schulman asks Member Cirelli to contact Chief Rich with any questions about the detectors and possibly suggest a different purchase the next time. Member Cirelli has had people tell her that they could not apply for positions at Global Solutions and there was a 1/4 page ad in Sunday's newspaper. Are they accepting applications or not? Service Director Price will look into this and let her know. Member Cirelli voted the way that she did for the sales tax Resolution because the government has gone high tech and this is where a lot of the money has gone. She prevented the County Commissioners office from having voice mail when she worked there because she felt this was an unnecessary expense and she is afraid this increase will not be used wisely. Member Smith has a complaint investigation form from a company in her Ward for dumping and she would like the Service Director to follow up with her on what happens next in this situation. Member Hawk states that his email address was incorrectly given in the Canton Connection and has not been corrected. Clerk Timberlake apologized for Member Hawk's incorrect email address and said that it will be corrected in the next edition. Safety Director Ream would like to invite all to the Grand Opening and Dedication of the new Fire Station at 25<sup>th</sup> and Cleveland Avenue North on Saturday, October 8<sup>th</sup> at 2:00 P.M.

**ADJOURNMENT:** 9:16 P.M.**THERE WILL BE NO MEETING ON MONDAY OCTOBER 10, 2011 IN OBSERVANCE OF COLUMBUS DAY****THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 17, 2011 @ 7:30 PM**