

TUESDAY
A G E N D A
7:30 P.M.

CANTON CITY COUNCIL

FEBRUARY 26, 2007

ROLL CALL: 10 Councilmembers Present, 2 Absent (Don Casar & Mary Cirelli)

INVOCATION: David Dougherty, Ward 6 Councilmember

PLEDGE OF ALLEGIANCE: Led by Council President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#5 & #7 and 2nd Rdg O#9, #10, #12 & #13; O#11 & #14 Retained in Cmte; O#20 Postponed; O#5 & 7 Adopted)

PUBLIC HEARINGS: (None)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): (None)

INFORMAL RESOLUTIONS:

ASS'T. MAJORITY LEADER JOE CARBENIA: EXCUSING MEMBERS (CASAR & CIRELLI ABSENT)

18. PERSONNEL COMMITTEE: REQUEST TO APPOINT MR. LARRY BELL TO FAIR HOUSING COMMISSION FR: 2/1/04 THRU 1/31/08. - ADOPTED

COMMUNICATIONS:

85. ABCD HOMES V LLC: NOTIFICATION AS MANAGING MBR OF SINGLE FAMILY RESIDENTIAL DEV & NOTIFYING OF RIGHT OF DISAPPROVAL OR OBJECTION TO OHFA W/IN 30 DAYS . - RECEIVED & FILED

86. ABCD HOMES V LLC.: NOTIFICATION OF MEMBERSHIP IN MULTIFAMILY RESIDENTIAL DEV FOR SENIOR CITIZENS & NOTIFYING OF RIGHT OF DISAPPROVAL OR OBJECTION TO OHFA W/IN 30 DAYS. - RECEIVED & FILED

87. AUDITOR MALLONN: CERTIFICATE OF TOTAL AMT FR: 2007 ALL SOURCES. - RECEIVED & FILED

88. CANTON SENIOR LLC: NOTIFICATION AS MANAGING MBR OF SENIOR 3-STORY DEVELOPMENT ON MILL ST SW & CLEV AVE., SW & NOTIFYING OF RIGHT OF DISAPPROVAL OR OBJECTION TO OHFA W/IN 30 DAYS. -RECEIVED & FILED

89. CIRELLI, MARY, COUNCILMBR AT LARGE: REQUEST TO CONSIDER GEO-THERMAL HTG SYSTEM FOR CITY OWNED BLDGS IN FUTURE. - RECEIVED & FILED

90. LAW DIRECTOR MARTUCCIO: REQUEST TO PREPARE LEGISLATION TO ENTER INTO ANNEXATION AGRMT BETW CITY OF CANTON, PLAIN TWP & PARK FARMS PURSUANT TO ORC. - ANNEXATION CMTE

91. LAW DIRECTOR MARTUCCIO: REQUEST TO JUD CMTE TO RESEARCH LEGISLATION RE: MANDATORY USE OF TAMPER-PROOF, LONG-TERM SMOKE DETECTORS FOR CITY RESIDENTS. - JUDICIARY CMTE

92. LAW DIRECTOR MARTUCCIO: REQUEST TO AMEND O#29/2007 TO REPLACE THE FIGURE OF \$16,800 TO \$24,000 ON LEGISLATION RE: WHEELING & LAKE ERIE RAILWAY CO FOR RIGHTS TO 3 RR CROSSINGS. - FINANCE CMTE

93. LIQUOR CONTROL DIVISION (OHIO): ADVISING OF CANCELED HEARING RE: CITY COUNCIL'S OBJECTION TO STOCK TRANSFER APPLICATION, AHN, INC. DBA STORE @ 1105 W. TUSC.,. - RECEIVED & FILED

94. LIQUOR CONTROL DIVISION (OHIO): ADVISING OF CANCELED HEARING RE: CITY COUNCIL'S OBJECTION TO 2006-2007 RENEWAL APPLICATION, AHN, INC. DBA STORE @ 1105 W. TUSC.,. - RECEIVED & FILED

95. MAYOR CREIGHTON: REQUEST APPROVAL OF DEBORAH ROHRBACH REAPPOINTMENT TO THE FAIR EMPLOYMENT PRACTICES BD EFF: 3/1/07 THRU 2/28/10 - PERSONNEL CMTE

96. NEIGHBORHOOD DEV SVS INC.: NOTIFICATION AS GENERAL PARTNER OF SINGLE FAMILY RESIDENTIAL DEV & NOTIFYING OF RIGHT OF DISAPPROVAL OR OBJECTION TO OHFA W/IN 30 DAYS. - RECEIVED & FILED

97. PIRHL DEVELOPERS, LLC: NOTIFICATION AS CO-DEVELOPER OF SINGLE FAMILY RESIDENTIAL DEV & NOTIFYING OF RIGHT OF DISAPPROVAL OR OBJECTION TO OHFA W/IN 30 DAYS. - RECEIVED & FILED

COMMUNICATIONS - CONTINUED:

98. PLANNING COMMISSION: RECOMMENDS APPROVAL TO VACATE UNNAMED ALLEY BETW ROSS & CARNAHAN AVE. S. OF IRA TURPIN WAY & N. OF BLECKER PL. NE; REPLAT LTS 8290 THRU 8297, LTS 8331 THRU 8341 & PROPOSED VACATED ALLEY; & DEDICATE PART OF LTS 8219, 8290 & 8341. - PUBLIC SAFETY & THOROUGHFARES CMTE

99. SAFETY DIRECTOR HUNT: REQUEST \$9,600 PAYMENT TO COTTRILL WRECKING FOR EMERGENCY DEMOLITION OF HOUSE @ 1018 MCKINLEY AVE., SW. -

COMMUNITY & ECONOMIC DEVELOPMENT CMTE

100. SAFETY DIRECTOR HUNT: REQUEST APPROVAL TO HIRE MR. LARRY MACKEY IN STEP 3 @ \$50,575.00, GRADE 6, OF CRIMINALIST POSITION IN THE CANTON POLICE DEPT'S CRIME LAB EFF: 4/2/07 (SALARY FULLY REIMBURSABLE BY SCOG). - PERSONNEL CMTE
101. SERVICE DIRECTOR CONCATTO: REQUEST INCREASE OF 2.5% IN SANITATION RATES AS DETERMINED BY 2006 CPI & PURSUANT TO CITY CODE SECTION 947.06 (d). - ENVIRONMENTAL & PUBLIC UTILITIES CMTE
102. SERVICE DIRECTOR CONCATTO: REQUEST INCREASE OF 2.5% IN SEWER RATES AS DETERMINED BY 2006 CPI & PURSUANT TO CITY CODE SECTION 947.06 (d). - ENVIRONMENTAL & PUBLIC UTILITIES CMTE
103. STARK COUNTY COMMISSIONERS: SUBMITTING ALL ANNEXATION MATERIALS RE: STARK CERAMICS/THE QUARRY ANNEXATION - EXPEDITED TYPE I. - PLANNING COMMISSION
104. STARK COUNTY COMMON PLEAS CT: SUBMITTING NOTICE OF ADMINISTRATIVE APPEAL RE: PLAIN TWP VS. BD OF COMMISSIONERS, STARK CO ET AL (DIOGUARDI ANNEXATION). - RECEIVED & FILED
105. WEST, THOMAS, WARD 2 CNCLMN: REQUEST LAW DEPT TO RESEARCH & REVIEW CITY CODE FOR OUTDATED & UNENFORCEABLE LAWS; NOTIFY JUDICIARY CMTE OF FINDINGS. - JUDICIARY CMTE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. APPROVING & ACCEPTING R-O-W DEDICATION PLAT OF PORTION OF 26TH ST SW; APPROVING & ACCEPTING REPLATTING OF PARTS OF OL483 THRU 485; EMERGENCY (WXZ RETAIL)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 2. AUTHORIZE MAYOR OR SERV DIR TO APPLY FOR & ACCEPT GRANT FUNDS FR: OH DEPT OF DEV. FOR STEIN INDUSTRIAL PK; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 3. AUTHORIZE MAYOR TO ENTER INTO ANNEXATION AGRMT W/CANTON TWP ON PROPERTY IN THE PPC ANNEXATION AREA; EMERGENCY
Referred to Annexation Committee
- 1ST RDG 4. AMENDING SEC 181.12, VIOLATIONS; PENALTY, CHAPTER 181, INCOME TAX
Referred to Judiciary Committee

***Recessed @ 7:35 PM; Reconvened @ 7:39 PM**

- 39/2007 5. AUTHORIZE CITY AUDITOR TO PAY \$887.00 MORAL OB TO COUNTRY SISTERS EMBROIDERY FOR BLDG. DEPT.; EMERGENCY
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZE SAF DIR TO DONATE USED POLICE WORKOUT MATS TO STARK STATE COLLEGE OF TECHNOLOGY
Referred to Public Property Capital Improvement Committee

***Recessed @ 7:35 PM; Reconvened @ 7:39 PM**

- 40/2007 7. AUTHORIZING SERV DIR TO ENTER INTO CONTRACT W/STANDARD INSURANCE CO FOR GROUP TERM LIFE & ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE FOR ELIGIBLE CITY EMPLOYEES; EMERGENCY
Referred to Finance Committee
- 1ST RDG 8. AUTHORIZE SERV DIR TO ENTER INTO \$249,492.14 CH. ORD. #2 W/OH TECHNICAL SVS., INC. FOR REMOVAL OF ASBESTOS FR: ONESTO HOTEL PROJECT; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

SUSPENDED RULE 22A TO ADD O#9, #10, #12 & #13;

- 2ND RDG 9. AMENDING O#55/77, AS AMENDED, KNOWN AS ZONING ORDINANCE (THE O'JAYS PARKWAY); EMERGENCY (Jud) **PUB HRG. 3/5/07 @ 7:30 PM**
- 2ND RDG 10. AMENDING EX. A O#40/2000 THE CLASSIFICATION PLAN FOR BARGAINING UNIT FOR CITY OF CANTON PERSONNEL IN POLICE DIVISION; EMERGENCY (Pers)
- RETAINED IN CMTE** 11. AUTHORIZE CITY AUDITOR TO PAY A MORAL OB IN AN AMOUNT NOT TO EXCEED \$350.00 TO BARCO SECURITY SVS INC.; \$121.50 MORAL OB TO SILCO FIRE PROTECTION CO & \$138.84 MORAL OB TO MEGGIT DEFENSE SYSTEMS; EMERGENCY (Fin)
- 2ND RDG 12. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR 41ST ST NE (STEESE) STORM SEWER CONSTRUCTION PROJ GP 1082; AUTHORIZE MAYOR OR SERV DIR TO ACCEPT \$1,158,840 GRANT FR: OPWC; AMEND O#241/2006 TO MAKE \$1,158,840 SUPP APPRO; EMERGENCY (E&PU and Fin)
- 2ND RDG 13. AUTHORIZE SERV DIR TO ENTER INTO PROF SVS CONTRACT FOR TUSC ST RECONSTR. PROJ.,

GP 1064; AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR TUSC ST RECONSTR. PROJ., GP 1064; AUTHORIZE MAYOR OR SERV DIR TO ACCEPT \$5,636,900 GRANTS FR: OPWC, ODOT & SCATS; AMENDING O#241/2006, AS AMENDED MAKING \$5,636,900 SUPP APPRO; EMERGENCY (PS&T and Fin)

**RETAINED IN
CMTE** 14.

(RETAINED IN CMTE ON 1/29/07) AUTHORIZE CITY AUDITOR TO PAY \$3,308.38 MORAL OBLIGATION TO PET SUPPLIES PLUS FOR OUTSTANDING INVOICES FOR K-9 UNIT OF POLICE DEPT; EMERGENCY (Fin)

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

- 41/2007** 15. APPROVING & ACCEPTING REPLATTING OF LOTS 6522 THRU 6526 & TWO VACATED ALLEYS (BETW SHORB & MARION); EMERGENCY
- 42/2007** 16. ACCEPT DONATION FR: ESTATE OF WILLIAM E BRINSON OF REAL PROPERTY LOCATED ON MAPLE AVE., NE AS PT OF LOT 15372 & PTS OF LOTS 2482 & 2483 ON 2ND STREET SW; EMERGENCY
- 43/2007** 17. ACCEPT DONATION FR: ELINOR REPASKY OF REAL PROPERTY LOCATED ON BRYAN AVE SW AS PT OF LOT 1223; EMERGENCY
- 44/2007** 18. ACCEPT DONATION FR: KENNETH HALL, TRUSTEE, OF REAL PROPERTY LOCATED ON WALNUT AVE., NE AS PT OF LOT 6237; EMERGENCY
- 45/2007** 19. AMENDING APPROPRIATION O#241/2006, TO MAKE \$4,616.34 SUPP APPRO FR: THE 4501 UNAPPRO BAL OF THE CAPITAL IMPROVEMENT FUND; EMERGENCY
- POSTPONED** 20. **(POSTPONED FR: 2/12/07)** AMEND SEC 151.07, 151.08, 151.09, 151.12, 151.13, 151.14 & 151.26 & REPEAL SEC 151.091 & 151.092 OF CHAPTER 151, EMPLOY PROV, OF CODIFIED ORD OF CITY OF CANTON; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, MARCH 5, 2007, COUNCIL CAUCUS ROOM @ 6:15 PM

- 1) Community & Economic Development Committee
- 2) Annexation Committee
- 3) Judiciary Committee
- 4) Finance Committee
- 5) Personnel Committee
- 6) Public Property Capital Improvement Committee
- 7) Public Safety & Thoroughfares

PUBLIC SPEAKS: Joyce Hutson re: paying of city income tax pertaining to her; Shane Turckes City Sanitation employee - re: oversized sanitation containers; Harry Kouris re: santation containers

MISCELLANEOUS BUSINESS: J. Concatto - re: sanitation workers training, 32 gal. waste container limit will be maintained eff: 4/1/07, recycling containers will be 18 gal.; J. Carbenia - thank you to Bill Smuckler; B. Kraus - recommended better communication re: trash guidelines; A. Schulman - recycling will lighten sanitation worker's load; D. Dougherty - thanking city workers for great job of clean up during snow & ice storm.

ADJOURNMENT TIME: 8:10 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 5, 2007 @ 7:30 PM