

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

CANTON CITY COUNCIL

MAY 14, 2007

ROLL CALL: 11 Councilmembers Present, 1 Absent (Mary Cirelli)

INVOCATION: Kelly Zachary, Ward 4 Councilmember

PLEDGE OF ALLEGIANCE: Led by President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg #6-#12, Adopted O#12; Postponed O#15 until 6/4/07)

PUBLIC HEARINGS: None

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

INFORMAL RESOLUTIONS:

- MAJORITY LEADER DON CASAR: EXCUSING MEMBERS; MARY CIRELLI
44. CARBENIA, JOSEPH, WARD 9 CNCLMBR: PLACEMENT OF STREET LIGHT BETW 1313 25TH ST NE & 1317 25TH ST NE, POLE #772A4170 - ADOPTED
45. CARBENIA, JOSEPH, WARD 9 CNCLMBR: PLACEMENT OF STREET LIGHT @ 801 25TH ST. NE, POLE #772A2115. - ADOPTED
46. COUNCIL-AS-A-WHOLE: COMMENDING POLICE OFFICERS MICHAEL MCKAY & MICHAEL RASTETTER FOR THEIR BRAVERY & HEROIC ACTIONS. - ADOPTED
47. COUNCIL-AS-A-WHOLE: COMMENDING LARRY DAVIS FOR 39 YEARS OF DEVOTED PUBLIC SERVICE IN THE FIREFIGHTER PROFESSION. - ADOPTED
48. HART, RICHARD, WARD 7 CNCLMBR: COMMENDING HAMMERS & NAILS INC FOR HELPING SERVE & IMPROVE CANTON COMMUNITY. - ADOPTED
49. WEST, THOMAS, WARD 2 CNCLMBR: ENCOURAGING GIBBS ELEMENTARY STUDENTS TO PARTICIPATE IN 'GOVERNMENT DAY' - ADOPTED

COMMUNICATIONS:

319. AUDITOR MALLONN (CITY): SUBMITTING MONTHLY REPORT BY FUND THRU 04/30/07. - RECEIVED & FILED
320. AUDITOR MALLONN (CITY): SUBMITTING YEARLY REPORT BY FUND THRU 04/30/07. - RECEIVED & FILED
321. CD& PLANNING DIR., POORMAN: REQ MAYOR TO ENTER INTO AMENDED ENTERPRISE ZONE AGMT W/GLENN REAL ESTATE INVESTMENT LLC DBA CUTTER EQUIP CO., @ 3710 PROGRESS ST NE; AUTHORIZE & DIRECT AUDITOR TO PAY PLAIN LOCAL BD OF ED AMTS AGREED UPON PURSUANT TO ORC SEC 5709.82 (C) & (D). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
322. HART, RICHARD, WARD 7 CNCLMBR: REQ INVESTIGATION INTO CITY POLICY USING ENVIRONMENTALLY SUSTAINABLE & FRIENDLY TECHNOLOGY & SUPPLIES. - RECEIVED & FILED
323. HART, RICHARD, WARD 7 CNCLMBR: REQ DISCUSSION TO AMEND CITY CODIFIED ORDINANCES, SEC 503.02, CURFEW FOR MINORS, FR: 11:00 TO 10:00 PM. - RECEIVED & FILED
324. HEALTH BENEFITS ADMIN., BRESSON: APR 2007, MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JAN - APR 2007 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED
325. OH LIQ CONTROL DIV (STATE OF OH): OH DEPT OF COMMERCE NOTIFICATION OF CITY W/DRAWING OBJECTION FOR SUNKIN INC., DBA SPEED D FOODS @ 2502 11TH ST SW. - RECEIVED & FILED
326. OH LIQ. CONTROL DIV (STATE OF OH): REQ TRANSFER OF OWNERSHIP OF D2, D2X, D3 LIQ PERMIT FR: PAONE & SONS INC., TO CHRONICLE RESTAURANT LLC DBA CHRONICLES @ 601 CLEVELAND AVE. NW. - RECEIVED & FILED
327. OH LIQ. CONTROL DIV (STATE OF OH): OH DEPT OF COMMERCE NOTIFICATION OF DENIAL & REJECTION OF 2006-2007 & 2007-2008 RENEWALS OF C-1-2 PERMIT FOR ABUKWAIK, INC. DBA FOOD CTR @ 636 ROWLAND AVE., NE . - RECEIVED & FILED
328. SAFETY DIRECTOR HUNT: REQ PETTY CASH TO BE ESTABLISHED FOR POLICE DEPT., ADMINISTRATIVE DIV TO COVER MISC. MINOR EXPENSES IN AMT OF \$250.00. - FINANCE COMMITTEE
329. SAFETY DIRECTOR HUNT: REQ TO CERTIFY VARIOUS PROPERTIES FOR DEMOLITION. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

COMMUNICATIONS - CONTINUED:

330. SERVICE DIRECTOR CONCATTO: REQ SERV DIR TO ENTER INTO \$169,206.00 MODIFICATION W/ME COMPANIES RE: INCLUSION OF STORM WATER DETENTION FOR 30TH ST., NE TRUNK SEWER & IMPROV PROJ GP 1083; REQ \$169,206.00 TRANSFER FR: 4501 202001 70507, ENG ADMIN FUND. - FINANCE COMMITTEE
331. SERVICE DIRECTOR CONCATTO: REQ \$35,273.00 MORAL OB MODIFICATION FEE TO GPD ASSOC. RE: EXPANDED AREAS OF DETENTION FOR STEESE AREA DRAINAGE PROJ GP 1082; REQ \$35,273.00 TRANSFER FR: 4501 202001 70507 ENG ADMIN FUND. - FINANCE COMMITTEE
332. SERVICE DIRECTOR CONCATTO: REQ APPROVAL OF SETTLEMENT W/AULTCARE FOR \$623,918.68 REIMBURSEMENT TO CITY IN 2 EQUAL PAYMENTS ON 7/1/08 & 7/1/09; LAW DEPT RECOMMENDING APPROVAL OF SAID SETTLEMENT. - FINANCE COMMITTEE
333. SERVICE DIRECTOR CONCATTO: REQ TO ENTER INTO \$171,600.00 CONTRACT W/HEXAGRAM INC TO UPGRADE AUTOMATED METER RDG SYS TO DIGITAL SVC; REQ \$478,907.08 SUPP APPROP FR: 5201, 5410 & 5601 UNAPP. BAL. FOR COMPLETION OF VARIOUS PENDING WATER PROJECTS - FINANCE COMMITTEE
334. TREASURER, SCHIRACK: APR 2007 PARKING METER REVENUE. - RECEIVED & FILED
335. TREASURER, SCHIRACK: APR 2007 DEPOSITS & PAY INS FOR AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED
336. TREASURER, SCHIRACK; REPORTS OF TREASURER'S OFC BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 4/30/2007. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMENDING O#55/77, AS AMENDED KNOWN AS ZONING ORDINANCE; EMERGENCY (LT #2894 @ 907 11TH St., NW) **PUB HRG 6/4/2007 @ 7:30 PM**
Referred to Judiciary Committee
- 1ST RDG 2. AMENDING O#55/77, AS AMENDED KNOWN AS ZONING ORDINANCE; EMERGENCY (OL #799 @ 3004 Atlantic Blvd NE) **PUB HRG 6/4/2007 @ 7:31 PM**
Referred to Judiciary Committee
- 1ST RDG 3. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$30,000.00 LEASE AGREEMENT W/GREATER AKRON ATHLETIC CLUB; EMERGENCY
Referred to Finance Committee
- 1ST RDG 4. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$40,000.00 CONTRACT W/CANTON SYMPHONY ORCHESTRA ASSN. FOR 2007 'CONCERT IN THE PARK'; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. AUTHORIZING SERVICE DIRECTOR TO ACCEPT \$445,000.00 GRANT FR: ODNR, CLEAN OH TRAILS FUND; ENTER INTO R-O-W AGMT W/AKRON METRO RAILWAY; AMENDING O#241/2006 AS AMENDED; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#6-#12; ADOPTED O#12**

- 2ND RDG 6. ESTABLISH FMV OF 3 PARCELS OF CITY-OWNED PROPERTY; AUTHORIZE SALE & CONVEYANCE OF SAID PROPERTIES PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (2 @ WEBSTER AVE NE & 1 @ 2ND ST SE) (C&ED)
- 2ND RDG 7. ESTABLISH FRV OF 2 PARCELS OF CITY-OWNED PROPERTY; AUTHORIZE SALE & CONVEYANCE OF SAID PROPERTIES PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (2 @ TYLER AVE SE) (C&ED)
- 2ND RDG 8. APPROVE & ACCEPT REPLATTING OF LOT #34879 & PART OF OL #73; EMERGENCY (PS&T)
- 2ND RDG 9. APPROVE & ACCEPT REPLATTING OF PTS OF LOT #1611, #1613 & #1615; APPROVE & ACCEPT DEDICATION OF PT OF 3RD ST NW & PT OF FULTON RD NW; EMERGENCY (PS&T)
- 2ND RDG 10. AUTHORIZE CANTON TO ANNEX THE TERRITORY KNOWN AS THE REIFSNYDER PARK/PARK POULTRY ANNEXATION AREA CONTAINING APPROX 72.782 ACRES; ASSIGNING SAID TERRITORY TO WARD 9; ZONING SAID TERRITORY AS OS (OPEN SPACE) & I-2 (HEAVY INDUSTRIAL DIST); EMERGENCY (ANNEX) **PUB HRG. 5/21/07 @ 7:30 P.M.**
- 2ND RDG 11. AUTHORIZE SERV DIR TO NEGOTIATE & ENTER INTO SUPPLEMENTAL AGMT W/ CITY OF N. CANTON & STARK CTY FOR CAPITAL IMPROV ASSOC W/WPCC; EMERGENCY (PPCI)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING & VOTE - CONTINUED:

- 101/2007** 12. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR RECONSTRUCTION OF ROSHONG PARK TENNIS CTS; EMERGENCY (FIN)

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

- 102/2007** 13. AMENDING APPRO O#241/2006 MAKING \$2,000.00 SUPP APPROP FR: THE UNAPP BAL OF 2775 SAFE NEIGHBORHOOD HERO'S GRANT FUND; EMERGENCY
- 103/2007** 14. AUTHORIZE SERV DIR TO ENTER INTO TOWER LEASE AGMT W/CLEARWIRE US LLC PERMITTING INSTALLATION & OPERATION OF ANTENNAE FACILITIES; EMERGENCY
- POSTPONED** 15. **UNTIL 6/4/07** AMENDING CITY OF CANTON CODIFIED ORD. SEC 1129.02 OFF-STREET PKG & SEC 1153, HEIGHT REG **PUB HRG 4/30/07 @ 7:32 P.M.**

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, MAY 21, 2007 @ 6:00 P.M.
Paving Meeting

MONDAY, MAY 21, 2007 @ 6:30 P.M.
Annexation Committee

MONDAY, MAY 21, 2007 in Council Caucus @ 6:45 P.M.
1) Finance Committee
2) Judiciary Committee

PUBLIC SPEAKS: D. DeSantis re: city demolition contract or Code Enforcement concerns & complaints; E. Meighen re: public park concerns & complaints, visual affects presented; M. Beck re: robbery & assault in her home; K. Nonnemacher re: disturbances in his neighborhoods B. Kimbrough re: Thanking city for hanging neighborhood banners, announcing neighborhood meetings, community must fight for what is right; J. Taylor re: Gang Task Force complaints & concerns

MISCELLANEOUS BUSINESS: B. Smuckler re: legislation for 2008 paving program; G. Hawk re: Code Dept. rising demo costs, specifications not adhered to & requesting an investigation, contractors who do not complete the job should be sought; R. Hart re: Congratulations to Mayor Creighton for induction into YWCA, request to investigate increase in license plate fees on behalf of City of Canton; J. Carbenia inquiring if paving bids are out yet; J. Concatto re: hot mix bids out, other sent later; T. West re: demolitions messes, request for contracts to clean up, while out of town call Council Office with complaints for him; B. Hunt re: bad demolition contractors will be called back to clean up & will not be used again; D. Casar re: complaints on demolitions - no satisfaction to date, cleanups should be reviewed & contractors should sign off; K. Zachary - thank you to Ms. Beck for telling her story this evening, Gang Task Force was doing good job, solutions for solving crime is badly needed, city needs to do what is right for its citizens; J. Martuccio - Thanking Stark County Prosecutor Bickus for being present, Administration will be meeting with the Prosecutor, suggested Mr. Taylor go to Internal Affairs w/his complaints or Law Dept can help if he so desires help, Public Record Act is changing & will keep everyone informed, Councilman Casar monitoring cable franchise fees, announced premier of Canton Cabaret; Chip Conde announced Water Facility Committee meeting 5/16/07 @ 6:00 PM 8th flr; A. Schulman thanking Ms. Beck for telling her story & telling Mr. Taylor what happened to him should not happen to anyone.

ADJOURNMENT TIME: 8:47 pm

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MAY 21, 2007 @ 7:30 PM