

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

CANTON CITY COUNCIL

JULY 09, 2007

ROLL CALL: All Members Present
INVOCATION: Richard Hart Ward 7 Councilmember
PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#12-18; Adopted 1st Rdg O#1; Adopted 2nd Rdg O#12, #15 & #17; Amended O#19)

PUBLIC HEARINGS:

7:30 PM AN ORDINANCE ADOPTING THE CITY OF CANTON'S PROPOSED TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2008; AND DECLARING THE SAME TO BE AN EMERGENCY See O#129/2007

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY) (NONE)

INFORMAL RESOLUTIONS:

- MAJORITY LEADER DON CASAR: EXCUSING MEMBERS. (ALL MEMBERS PRESENT)
55. COUNCIL AS A WHOLE: COMMENDING BRIANNA REICHENBACH FOR 13-YR. PERFECT SCHOOL ATTENDANCE. - ADOPTED
56. COUNCIL AS A WHOLE: COMMENDING ALL THOSE INVOLVED IN THE ULSTER PROJECT. - ADOPTED
57. PERSONNEL COMMITTEE: REQUEST APPROVAL TO REAPPOINT NEIL LIBSTER TO THE FAIR HOUSING BD EFF: 7/1/07 THRU 12/31/12. - ADOPTED

COMMUNICATIONS:

388. AUDITOR MALLONN (CITY): SUBMIT MO. RPT. BY FUND THRU 06/29/07. - RECEIVED & FILED
389. AUDITOR MALLONN (CITY): SUBMIT YRLY RPT. BY FUND THRU 06/29/07. - RECEIVED & FILED
390. AUDITOR MARY TAYLOR, CPA (STATE): SUB RPT. OF CANTON'S FINANCIAL STATEMENTS PURSUANT TO GOVT AUDITING STANDARDS YEAR ENDING 12/31/06. - RECEIVED & FILED
391. C&ED DIRECTOR POORMAN: REQ AUTHORIZATION FOR MAYOR &/OR SERV DIR TO ENTER INTO \$50,000.00 CONTRACT W/DOMESTIC VIOLENCE PROJ, INC. FR: 1/1/07 - 12/31/07 UTILIZING EMERGENCY SHELTER GRANT FUNDS FOR EXPENSES RE: SHORT TERM HSG FOR DOMESTIC VIOLENCE VICTIMS. - COMMUNITY & ECON DEV COMMITTEE
392. C&ED DIRECTOR POORMAN: REQ AUTHORIZATION FOR MAYOR &/OR SERV DIR TO ENTER INTO \$32,500.00 CONTRACT W/YMCA OF CENTRAL STARK COUNTY FR: 1/1/07 - 12/31/07 UTILIZING EMERGENCY SHELTER GRANT FUNDS RE: ESSENTIAL SVCS FOR HOMELESS MEN IN CANTON. - COMMUNITY & ECON DEV COMMITTEE
393. C&ED DIRECTOR POORMAN: REQ AUTHORIZATION FOR MAYOR &/OR SERV DIR TO ENTER INTO \$500,00.00 CONTRACT W/CCIC PROVIDING CDBG FUNDS FOR GRANTS, LOANS & ADMIN COSTS. - COMMUNITY & ECON DEV COMMITTEE
394. C&ED DIRECTOR POORMAN: REQ AUTHORIZATION FOR MAYOR &/OR SERV DIR TO ENTER INTO \$175,000.00 CONTRACT W/CANTON REGIONAL CHAMBER OF COMMERCE FR: 1/1/07 - 12/31/07 PROVIDING CDBG FUNDS FOR COMPREHENSIVE ECONOMIC & DOWNTOWN DEV PROG. - COMMUNITY & ECON DEV COMMITTEE
395. C&ED DIRECTOR POORMAN: REQ AUTHORIZATION FOR MAYOR TO ENTER INTO \$775,000.00 AGMT W/STARK CO OUT POVERTY PARTNER. FR: 1/1/07 - 12/31/07 PROV \$50,000.00 CDBG FUNDS TO ADMIN & IMPLEMENT CANTON HSG PROG BENEFITTING LOW & MODERATE INCOME FAMILIES. - COMMUNITY & ECON DEV COMMITTEE
396. C&ED DIRECTOR POORMAN: REQ FOR MAYOR OR SERV DIR TO ENTER INTO NEW ECONOMIC GROWTH INITIATIVE PURSUANT TO O#2/2006 RE: PARK POULTRY INC. INVOLVEMENT W/JOB CREATION INCENTIVE PROGRAM FOR 5 YR. TERM. - COMMUNITY & ECON DEV COMMITTEE
397. C&ED DIRECTOR POORMAN: REQ FOR MAYOR &/OR SERV DIR TO CONVEY OL#1118, 1119 & 1132 LOCATED ON GEORGETOWN RD. TO THE CCIC FOR \$1.00 EA. - COMMUNITY & ECON DEV COMMITTEE
398. C&ED DIRECTOR POORMAN: REQ TO ESTABLISH FAIR REUSE VALUE OF PARCEL #02-84919 LOCATED ON 5TH ST NE & CONVEY TO HABITAT FOR HUMANITY FOR \$1.00 TO BE USED FOR NEW CONSTRUCTION . - COMMUNITY & ECON DEV COMMITTEE

COMMUNICATIONS - CONTINUED:

399. DEPT. OF MENTAL RETARD. & DEV DISABILITIES (OHIO): ADVISING OF APP FOR LICENSING FOUR (4) MENTALLY RETARDED &/OR DEVELOPMENTAL DISABILITIES PERSONS TO RESIDE @ 3916 ARNOLD AVE., NW AS REQUIRED BY ORC, SEC 5123.19. - RECEIVED & FILED
400. HEALTH BENEFITS ADMIN., BRESSON: JUN 2007, MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JAN - JUN 2007 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED
401. LAW DIRECTOR MARTUCCIO: REQ TO ADOPT LEGISLATION FOR OHIO EPA REQUIREMENTS RE: CANTON'S NPDES PHASE II STORM WATER PERMIT RE: STORM RUNOFF CONTROLS. - ENVIRON & PUB UTIL COMMITTEE
402. LIQUOR CONTROL DEPT (OHIO): REQ NEW C1, C2, LIQ PERMIT FOR MORAN FOODS INC DBA SAVE A LOT 612 @ 906 W. TUSC. STREET. - RECEIVED & FILED
403. LIQUOR CONTROL DEPT (OHIO): REQ NEW C1, C2, LIQ PERMIT FOR MORAN FOODS INC DBA SAVE A LOT 627 @ 2905 MAHONING RD NE. - RECEIVED & FILED
404. LIQUOR CONTROL DEPT (OHIO): ADVISING OF COUNCIL'S OBJECTION W/DRAWAL TO TRANSFER STOCK APP FOR A H N, INC. DBA STORE @ 1105 W. TUSC. - RECEIVED & FILED
405. LIQUOR CONTROL DEPT (OHIO): ADVISING OF STATE'S DENIAL & REJECTION OF 2007-08 LIQ PERMIT RENEWAL FOR J. E. & A. T. JOHNSON DBA CAROUSEL LOUNGE @ 3012 ATLANTIC BLVD NE. - RECEIVED & FILED
406. MAYOR CREIGHTON: REQ AUTHORIZATION TO RE-APPOINT MR. JOHN PICARD TO HSG ADVISORY BD RETRO. 3/1/07 - 2/28/09. - PERSONNEL COMMITTEE
407. MAYOR CREIGHTON: REQ AUTHORIZATION TO RE-APPOINT MR. JOEL OWENS TO HSG ADVISORY BD RETRO. 3/1/07 - 2/28/09. - PERSONNEL COMMITTEE
408. MAYOR CREIGHTON: REQ AUTHORIZATION TO RE-APPOINT REV. RONALD KLINGLER TO HSG ADVISORY BD RETRO. 3/1/07 - 2/28/09. - PERSONNEL COMMITTEE
409. MAYOR CREIGHTON: REQ AUTHORIZATION TO RE-APPOINT MR. JOE RACE TO HSG ADVISORY BD RETRO. 3/1/07 - 2/28/09. - PERSONNEL COMMITTEE
410. MAYOR CREIGHTON: REQ AUTHORIZATION TO RE-APPOINT MR. MIKE WILLIAMS TO HSG ADVISORY BD RETRO. 3/1/07 - 2/28/09. - PERSONNEL COMMITTEE
411. MAYOR CREIGHTON: REQ AUTHORIZATION TO RE-APPOINT REV. DAVID MORGAN TO HSG ADVISORY BD RETRO. TO 3/1/07 - 2/28/09. - PERSONNEL COMMITTEE
412. RUKAVINA, MICHAEL, APPLICANT: REQ ZONE CH @ 3315 HARMONT ST. NE FR: B-3 TO: B-4 (SELF SERVE CAR WASH). - PLANNING COMMISSION
413. SAFETY DIRECTOR HUNT: REQ POLICE DEPT CO-APPLY FOR \$57,554.00 BYRNE MEMORIAL JUSTICE ASSIST GRANT AS CITY'S SHARE BETW CTY COMM & MAYOR; REQ \$57,554.00 SUPP APPROP FR: UNAPPROP BAL OF 2773 BYRNE MEM JUSTICE ASST. GRANT. - FINANCE COMMITTEE
414. SAFETY DIRECTOR HUNT: REQ \$4,030.00 SUPP APPROP FR: UNAPPROP BAL OF 4502 MV PURCH FUND FOR FIRE DEPT. - FINANCE COMMITTEE
415. SAFETY DIRECTOR HUNT: REQ \$5,712.87 SUPP APPROP FR: UNAPPROP BAL OF 2111 STR MAINT FUND FOR ENG. DEPT TO REPAIR DAMAGED SIGNAL POLE. - FINANCE COMMITTEE
416. SERVICE DIRECTOR CONCATTO: AMENDING CANTON COD ORD CHAP 943.13 (b) (2) RE: CONTENTS OF DISCHARGING INTO SAN SEWERS TO WPCC. - JUDICIARY COMMITTEE
417. SERVICE DIRECTOR CONCATTO: REQ \$200,000.00 APPROP FR: 4506 201001 - 2006 INFRASTRUCTURE BOND FUND TO: 4506 202074 - GP 1093, WEST SIDE PARK TRAIL & BRIDGES & \$445,000.00 APPROP FR: 4501 202001 - CAP ENG ADMIN TO: 4501 202074 - GP 1093, W SIDE PK TRAIL & BRIDGES. - FINANCE COMMITTEE
418. TREASURER, SCHIRACK: REPORT OF TREAS OFC BANK RECONCILIATION & CITY'S OUTSTANDING INVESTMENTS AS OF 6/29/07. - RECEIVED & FILED
419. TREASURER, SCHIRACK: JUN 2007 PKING MTR REVENUE. - RECEIVED & FILED

COMMUNICATIONS - CONTINUED:

420. TREASURER, SCHIRACK:

JUN 2007 DEPOSITS & PAY INS FOR AMBULANCE LOCK BOX ACCT. -
RECEIVED & FILEDORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:****(COUNCIL RECESSED @ 7:48PM FOR ADOPTION OF O#1 AND RECONVENED @ 7:53PM)**

- 123/2007** 1. AMENDING CANTON'S CODIFIED ORDINANCES SEC 505.18 'DANGEROUS OR VICIOUS ANIMALS'
Referred to Judiciary Committee
- 1ST RDG 2. AMENDING O#55/77. AS AMENDED, KNOWN AS ZONING ORDINANCE; EMERGENCY (LTS #32534,
32535, 32536 & 32537 ON NW CORNER OF MARKET AVE. N & 30TH ST NW)
Referred to Judiciary Committee **PUB HRG 8/6/07 @ 7:30 PM**
- 1ST RDG 3. AMENDING O#55/7, AS AMENDED, KNOWN AS ZONING ORDINANCE; EMERGENCY (LTS 42465 THRU
42479 ON HANNAH CIR NW)
Referred to Judiciary Committee **PUB HRG 8/6/07 @ 7:31 PM**
- 1ST RDG 4. APPROVING & ACCEPTING REPLATTING OF OLTS #1188 & 1189; EMERGENCY (JAMES REED)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 5. APPROVING & ACCEPTING FINAL RECORD PLAT RE: QUEEN ESTHER'S SUBDIVISION; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 6. APPROVING & ACCEPTING REPLATTING OF ALL OF LTS #23352 THRU 23354; APPROVING &
ACCEPTING DEDICATION OF ADDITIONAL R-O-W SO. SIDE OF 25TH STR NE; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 7. AUTHORIZING CITY AUD TO PAY \$21,000.00 MORAL OB TO BITZEL EXCAVATING, INC. FOR
REPLACEMENT SEWER @ WAYNESBURG RD SE & ED STEIN DR SE; EMERGENCY
Referred to Finance Committee
- 1ST RDG 8. AUTHORIZING SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO \$200,000.00 CONTRACT FOR
REPAIR OF BRICK STREETS; EMERGENCY
Referred to Finance Committee
- 1ST RDG 9. AMENDING CODIFIED ORDINANCE SEC 971.02, RE: SCHEDULE OF RENTAL RATES & OTHER
CHARGES
Referred to Personnel & Judiciary Committees
- 1ST RDG 10. AUTHORIZING SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO \$1,800,000.00 CONTRACT FOR
WPCC TERTIARY FILTER PROJ; AMENDING APPROP O#241/2006 MAKING \$1,800,000.00 SUPP
APPROP FR: UNAPPROP BAL OF 5413 SEWER REPLACEMENT FUND; EMERGENCY
Referred to Finance Committee
- 1ST RDG 11. AMENDING O#241/2006 MAKING \$2,884.00 SUPP APPROP FR: UNAPPROP BAL OF 2329 SMOKE FREE
OH FUND & \$103,905.00 SUPP APPROP FR: UNAPPROPRIATED BAL OF 2316 WIC ADMINISTRATION
FUND; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#12-#18 & ADOPTED O#12, #15 & #17;**

- 124/2007** 12. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AGMT W/CANTON COMMUNITY IMPROVEMENT
CORP TO PROVIDE A GRANT IN AN AMT NOT TO EXCEED \$125,000.00 FOR ECONOMIC
DEVELOPMENT PROJECTS; EMERGENCY (Fin)
- 2ND RDG 13. AUTHORIZE MAYOR OR SERV DIR TO FILE AN APPLICATION FOR & ACCEPT A GRANT FR: THE DEPT
OF HSG & URBAN DEV. FOR CONSTRUCTION OF A HANDICAP ACCESSIBLE PK; AUTHORIZE
AUDITOR TO ESTABLISH 2529 NEW HORIZONS PARK FUND; AMEND APPROP O#241/2006, AS
AMENDED, MAKING \$198,000.00 SUPP APPROP FR: UNAPP BAL OF THE 2529 NEW HORIZONS PARK
FUND TO: 2529 NEW HORIZONS PARK FUND - OTHER; EMERGENCY (Fin)
- 2ND RDG 14. NAMING AN UNNAMED ALLEY RUNNING ALONG 1338 COTTAGE AVE NW & ENDING BEHIND A
PROPERTY FACING 15TH ST NW "TAYLOR COURT" (PS & T)
- 125/2007** 15. AUTHORIZE LAW DIR TO ENTER INTO PROF SERVICES CONTRACTS W/MEDICAL SPECIALISTS TO
ASSIST IN THE PREPARATION OF DEFENSE OF THE CASE CAPTIONED *TROY PIROLOZZI V. ERIC
STANBRO, ET AL.*; EMERGENCY (Fin)
- 2ND RDG 16. AUTHORIZE SERV DIR TO EXECUTE & DELIVER TO DOMINION EAST OHIO GAS CO. AN EASEMENT
ON PROPERTY OWNED BY CITY OF CANTON (11TH ST SE JUST W OF GONDER AVE); EMERGENCY
(Fin)
- 126/2007** 17. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR THE EXTERIOR
FACADE REPAIRS AT THE SEARS BLDG; AMENDING APPROP O#241/2006, AS AMENDED, BY MAKING
THE APPROP TRANSFER OF \$74,000.00 FR: 4510 201001 CONSTRUCTION/RECONSTRUCTION BOND
FUND - OTHER TO: 4510 201050 SEARS BLDG IMPROVEMENTS - OTHER; EMERGENCY (Fin)
- 2ND RDG 18. AMEND O#241/2006, AS AMENDED, MAKING \$7,161.65 SUPP APPROP FR: UNAPP BAL OF THE 2111
STREET MAINTENANCE FUND TO: 2111 104020 TRAFFIC SIGNAL - OTHER; EMERGENCY (Fin)

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

- 127/2007** 19. AUTHORIZE SERV DIR TO ENTER INTO \$171,600.00 CONTRACT W/HEXAGRAM INC. TO UPGRADE AUTOMATED METER RDG SYS.; AMENDING O#241/2006 TO MAKE SUPP APPROP FR: UNAPP BAL OF 5201 WATER DIST FUND & UNAPP BAL OF 5410 SEWER BILLING FUND; EMERGENCY
- 128/2007** 20. AMEND O#241/2006 TO MAKE VARIOUS SUPP APPROP FR: UNAPP BAL OF 5201, 5410 & 5601 TO UPGRADE AUTOMATED METER RDG SYS TO DIGITAL SVC; EMERGENCY
- 129/2007** 21. ADOPTING CITY OF CANTON PROPOSED 2008 TAX BUDGET ENDING 12/31/2008; EMERGENCY
PUB HRG. 7/9/07 @ 7:30 P.M.
- 130/2007** 22. AUTHORIZE SAF DIR TO ENTER INTO \$30,479.42 CONTRACT W/WARREN FIRE EQUIP INC TO PURCHASE TURNOUT GEAR PURSUANT TO ORC SEC 125.04; EMERGENCY
- 131/2007** 23. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT TO REMOVE ALL TRASH & DEBRIS @ 9TH ST SW & SCHROYER AVE., SW; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, JULY 23, 2007 in Council Caucus @ 6:15 P.M.**

- 1) Finance Committee
- 2) Personnel Committee
- 3) Public Safety & Thoroughfares Committee
- 4) Judiciary Committee

PUBLIC SPEAKS: Walter Hood re: parking on Freedom Avenue between 3rd & 4th Streets, cars on both sides of street should be ticketed, the view is obstructed to drivers; Katherine Baylock re: bad street conditions in her neighborhood; Pat Bodnar re: trouble @ Pastime Inn; Susan Seiler re: problems @ Pastime Inn, distributed DVD of problems, moving out of the city; Henry Mack re: Freedom Avenue repaving, has not been paved in 40 yrs, distributed pictures, requesting 'no parking' & speed limit signs; Preston Young re: requesting street repair in Freedom Avenue area.

MISCELLANEOUS BUSINESS: Kelly Zachary commented that 4th ward residents have been under-served. She tried to close Pastime Inn w/o any luck. Requested meeting w/Administration for answers. Commended Police Dept for apprehending burglar. Mary Cirelli complained about loud & dangerous fireworks in her neighborhood on July 4th. Asked the State Representative to take more action in Columbus towards apprehension of illegal fireworks. Commended Police for coming to the neighborhood & trying to restore the peace; Mayor said she will meet w/Kelly Zachary to work towards solutions in the 4th ward. The Administration will work for stricter firework control. The Mayor congratulated Cassie Prater re: her photography on the cover of the Canton Quarterly. The Mayor distributed \$1,600.00 checks to Hammers & Nails, Primetime Basketball & First Tee through the efforts of "The Quarry" w/ 'green fees'; Butch Kraus requested C#399 be distributed to all councilmembers, Law Dept & Mr. Labriola; Thomas; Thomas West thanked the City of Canton for their contribution towards a very successful "Joyfest"; Allen Schulman thanked Mayor, Greg Hawk, Robb Hankins & Arts in Stark for the 'dinosaur' now in place. Apologized for delayed action & slow state legislation re: action towards the Pastime Inn.

ADJOURNMENT TIME8:50 PM**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JULY 23, 2007 @ 7:30 PM**