

FINAL
AGENDA
7:30 P.M.

CANTON CITY COUNCIL

JULY 23, 2007

ROLL CALL: 11 Councilmembers Present; 1 Absent (Joe Carbenia)

INVOCATION: Donald E. Casar, Majority Leader

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#2 & #11 and 2nd Rdg O#15-#24 except O#22 retained in committee; Added O#14A; Adopted 1st Rdg O#2 as amended & O#11; Adopted 2nd Rdg O#20, #21 & #23 as amended)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

MAJORITY LEADER DON CASAR:

EXCUSING MEMBERS. (CARBENIA ABSENT)

58. PERSONNEL COMMITTEE:

REQUEST APPROVAL TO REAPPOINT REVEREND DAVID MORGAN TO HOUSING ADVISORY BD EFF: 3/1/07 - 2/28/09. - ADOPTED

59. PERSONNEL COMMITTEE:

REQUEST APPROVAL TO REAPPOINT REVEREND RONALD KLINGLER TO HOUSING ADVISORY BD EFF: 3/1/07 - 2/28/09. - ADOPTED

60. PERSONNEL COMMITTEE:

REQUEST APPROVAL TO REAPPOINT MR. JOEL OWENS TO HOUSING ADVISORY BD EFF: 3/1/07 - 2/28/09. - ADOPTED

61. PERSONNEL COMMITTEE:

REQUEST APPROVAL TO REAPPOINT MR. JOHN PICARD TO HOUSING ADVISORY BD EFF: 3/1/07 - 2/28/09. - ADOPTED

62. PERSONNEL COMMITTEE:

REQUEST APPROVAL TO REAPPOINT MR. JOE RACE TO HOUSING ADVISORY BD EFF: 3/1/07 - 2/28/09. - ADOPTED

63. PERSONNEL COMMITTEE:

REQUEST APPROVAL TO REAPPOINT MIKE WILLIAMS TO HOUSING ADVISORY BD EFF: 3/1/07 - 2/28/09. - ADOPTED

COMMUNICATIONS:

421. AUDITOR MALLONN (CITY):

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

422. HEALTH COMMISSIONER PATTISON:

REQ \$43,555.00 SUPP APPROP FR: UNAPP BAL OF 2328 PUB HEALTH INFRASTRUCTURE FOR PUB HEALTH INFRASTRUCTURE GRANT FR: OH DEPT OF HEALTH. - FINANCE COMMITTEE

423. LIQUOR CONTROL DIV (OHIO):

REQ TRANSFER OF OWNERSHIP OF D5 LIQ PERMIT FR: PETER G PAPACOSTAS TO CANTON AGORA LLC, DBA CANTON AGORA LLC @ 520 4TH ST NE (BSMT ONLY). - RECEIVED & FILED

424. MAYOR CREIGHTON:

REQ ALLOWING UNION EMPLOYEES TRAINING TIME & AMENDING CITY'S BARGAINING UNIT CLASS. PLAN; ADVISING OF PROPOSED CHANGES FOR PROB. POLICE OFCS. - PERSONNEL COMMITTEE

425. PLANNING COMMISSION:

RECOMMENDING VARIOUS CHANGES TO ZONING ORDINANCES (CITY OF CANTON). - JUDICIARY COMMITTEE

426. PLANNING COMMISSION:

RECOMMENDING ZONE CH REQ. BY ANNA MYERS & JEFF MUCCI @ 3315 HARMONT AVE., NE FR: B-3 TO PB-4 FOR CAR WASH. - JUDICIARY COMMITTEE

427. SAFETY DIRECTOR HUNT:

REQ \$45,000.00 SUPP APPROP FR: UNAPPROP BAL OF 2763 FUND FOR CANTON POLICE DEPT. - FINANCE COMMITTEE

428. SERVICE DIRECTOR CONCATTO:

REQ TO ENTER INTO AGMT W/STATE FOR LEASING OF PKG SPACES @ CORNERSTONE I & II @ \$20.00 PER SPACE RETRO TO 7/1/07 THRU 6/30/09 & \$25.00 PER SPACE FR: 7/1/09 THRU 6/30/11. - FINANCE COMMITTEE

429. SERVICE DIRECTOR CONCATTO:

REQ \$500,000.00 TRANS FR: 4506 201001 75812 2006 CITY INFRASTRUCTURE BOND FD TO ADD STREETS ON TO CITY'S 2007 PAVING PROG. - FINANCE COMMITTEE

430. SERVICE DIRECTOR CONCATTO:

REQ AUTHORIZATION FOR MAYOR &/OR SERV DIR TO ESTABLISH FMV FOR PROPERTY @ 49TH ST & GARDENDALE AVE., NE, STORM SEW IMPROV GP 1074; AUTHORIZE MAYOR &/OR SERV DIR TO NEGOTIATE SAME FMV; AUTHORIZE MAYOR &/OR SERV DIR TO CHANGE & CORRECT PROPERTY OWNERS NAMES, PARC # & OTHER TYPO ERRORS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

431. SWARTZ, JOHN:

LETTER OF PRAISE FOR CITY'S SUPPORT OF 'CONCERT IN THE PARK'. - RECEIVED & FILED

432. TREASURER, SCHIRACK:

JUN 30, 2007 COMPARATIVE REPORT OF CASH RECEIPTS. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:****(COUNCIL RECESSED @ 7:47PM FOR ADOPTION OF O#2 AS AMENDED & O#11; RECONVENED @ 7:51PM)**

- 1ST RDG 1. RESOLUTION W/DRAWING OBJECTION TO RENEW LIQ PERMIT #0003589, AHN INC DBA THE STORE @ 1105 W. TUSC.; EMERGENCY
Referred to Intergovernmental & Public Service Committee
- **AS AMENDED**
- 132/2007 2. DECLARING 32 BLDGS PUB NUISANCES; AUTHORIZE SAF DIR TO CONTRACT DEMO OF SAID BLDGS; AUTHORIZE CNCL CLERK TO CERTIFY DEMO COSTS TO STARK CO AUDITOR; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 3. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO \$50,000 CONTRACT W/DOMESTIC VIOLENCE PROJ, INC. PROVIDING GRANT FOR MISC SHORT TERM HSG SVCS; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 4. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO \$32,500.00 CONTRACT W/YMCA OF CENTRAL STARK CO PROVIDING GRANT FOR ESSENTIAL SVCS; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 5. AUTHORIZE MAYOR OR SERV DIRECTOR TO ENTER INTO \$175,000.00 CONTRACT W/CANTON REG. CHAMBER OF COMMERCE PROVIDING GRANT FOR COMPREHENSIVE ECON & DOWNTOWN DEV PROG; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 6. AMENDING O#17/89 AUTHORIZING MAYOR TO ENTER INTO AMENDED \$500,000.00 CONTRACT W/CANTON CCIC BLK GRANT ADMINISTERING CDBG FUNDS; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 7. AUTHORIZING MAYOR TO ENTER INTO \$50,000.00 & \$775,000.00 AGMT W/STARK CO OUT OF POVERTY PROVIDING CDBG FUNDS ADMINISTERING & IMPLEMENTING CITY HSG PROG; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 8. AUTHORIZING MAYOR OR SERV DIR TO ENTER INTO JOB CREATION TAX INCENTIVE & NET PROFITS INCENTIVE AGMTS W/PARK POULTRY, INC. RE: CITY ECON GROWTH INITIATIVE PROG; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 9. AUTHORIZING MAYOR OR SERV DIR TO CONVEY CITY-OWNED PROPERTY TO CCIC; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 10. ESTABLISHING FAIR REUSE VALUE OF CITY PROPERTY FOR \$1.00, PARCEL #02-84919 LOCATED ON 5TH STREET NE; AUTHORIZE SALE & CONVEYANCE OF SAID PROPERTY; EMERGENCY
Referred to Community & Economic Development Committee
- **133/2007** 11. AUTHORIZING MAYOR TO CO-APPLY, ENTER INTO AGMT ACCEPTING & ADMINISTERING THE BYRNE MEM. JUSTICE ASST GRANT & EXECUTE LETTER OF UNDERSTANDING W/STARK CO OHIO REALLOCATING PROCEEDS; AMENDING APPROP O#241/2006; EMERGENCY
Referred to Finance Committee
- 1ST RDG 12. AMENDING APPROP O#241/2006 MAKING \$4,030.00 SUPP APPROP FR: UNAPPROP BAL OF 4502 MV PURCHASE FUND; EMERGENCY
Referred to Finance Committee
- 1ST RDG 13. AMENDING APPROP O#241/2006 MAKING \$5,712.87 SUPP APPROP FR: UNAPPROP BAL OF 2111 STR MAINT FUND; EMERGENCY
Referred to Finance Committee
- 1ST RDG 14. AMENDING SEC 943.13 GENERAL DISCHARGE PROHIBITIONS OF THE CODIFIED ORDINANCES
Referred to Judiciary Committee
- 1ST RDG 14A AMENDING APPROP O#241/2006 MAKING \$200,000.00 SUPP APPROP FR: 4506 CITY INFRASTRUCTURE BOND FUND-OTHER & 4501 W SIDE PK TRAIL & BRIDGES-OTHERS
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#15-#24 EXCEPT O#22 RETAINED IN CMTE: **(ADOPTED O#20, #21 & #23 AS AMENDED)**

- 2ND RDG 15. 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)
(Jud) **PUB HRG 8/6/07 @ 7:30 PM**
- 2ND RDG 16. AMENDING O#55/77, AS AMENDED, KNOWN AS ZONING ORDINANCE; EMERGENCY (LTS 42465 THRU 42479 ON HANNAH CIR NW)
(Jud) **PUB HRG 8/6/07 @ 7:31 PM**
- 2ND RDG 17. APPROVING & ACCEPTING REPLATTING OF OLTS #1188 & 1189; EMERGENCY (JAMES REED)
(PS&T)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING - CONTINUED:

- 2ND RDG 18. APPROVING & ACCEPTING FINAL RECORD PLAT RE: QUEEN ESTHER'S SUBDIVISION; EMERGENCY (PS&T)
- 2ND RDG 19. 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 (PS&T)
- **134/2007 20. 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 (Fin)
- **135/2007 21. AUTHORIZING SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO \$200,000.00 CONTRACT FOR REPAIR OF BRICK STREETS; EMERGENCY (Fin)

RETAINED

- IN CMTE 22. AMENDING CODIFIED ORDINANCE SEC 971.02, RE: SCHEDULE OF RENTAL RATES & OTHER CHARGES (Per & Jud)

****AS AMENDED**

- 136/2007 23. 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 (Fin)
- 2ND RDG 24. 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 (Fin)

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

- 137/2007 25. 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
- 138/2007 26. NAMING AN UNNAMED ALLEY RUNNING ALONG 1338 COTTAGE AVE NW & ENDING BEHIND A PROPERTY FACING 15TH ST NW "TAYLOR COURT"
- 139/2007 27. 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
- 140/2007 28. 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, AUGUST 6, 2007 in Council Caucus @ 6:00 P.M.**

- 1) Community & Economic Development Committee
- 2) Intergovernmental & Public Service Committee
- 3) Judiciary Committee
- 4) Personnel Committee
- 5) Finance Committee

PUBLIC SPEAKS: Joe Vinci re: group homes, their caretakers & zone changes in the neighborhood; Doug Kish re: group homes in his neighborhood that include 3 men & 1 woman & zone issues in neighborhood; Lois DiGiacomo re: future Canton Cabaret Productions & inviting Council to "Remembering Moonlight Ballroom"

MISCELLANEOUS BUSINESS: Mary Cirelli - Thanking R. Hart for relinquishing his sponsorship to her re: Ulster Project; Thomas West - Thanking Joe Concatto for repairing Nimisilla Basketball courts & informing all of O'Jays event in Nimisilla; Richard Hart - Congratulating Palace Theatre on successful outdoor movie; Mayor Creighton - announced contest winner Grace Williams who named "Derek the Downtown Dino"; Allen Schulman complimenting downtown on its 'green space', the arts are growing & getting better; Greg Hawk - Thanking Palace Theater on successful outdoor movie event; Joe Martuccio - Thanked public speakers for bringing forth their neighborhood concerns, explained the law re: zoning issues, update re: Pastime Inn issues; Don Casar - Inquiring once again on status of hiring an Animal Control Officer & asked when we could hire; Joe Martuccio - Draft of Ordinance of Animal Control Officer possibly within next 2-4 weeks; Mary Cirelli - commented about recent pit bull attack & children involved; Butch Kraus - commented re: sending letter to Columbus on group homes.

ADJOURNMENT: 8:36 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON **MONDAY, AUGUST 6, 2007 @ 7:30 PM**