

FINAL
AGENDA
7:30 P.M.

CANTON CITY COUNCIL

AUGUST 6, 2007

ROLL CALL: 11 Councilmembers Present, 1 Absent (Greg Hawk)

INVOCATION: Joe Carbenia, Assistant Majority Leader

PLEDGE OF ALLEGIANCE: Led by Majority Leader Don Casar

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#11 - #24; Suspended Rule 22A to add 1st Rdg O#6 and O#10; O#6 and O#10 Adopted on 1st Rdg; O#14 Adopted on 2nd Rdg)

PUBLIC HEARINGS:

7:30 P.M. AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY; LOTS 32534, 32535, 32536 & 32537 LOCATED ON THE NW CORNER OF MARKET AVE NORTH & 30TH ST NW; ASSIGNING TO WARD 9; FR: R-1c (SINGLE FAMILY RESIDENTIAL) TO: PB-1 (PLANNED OFFICE); PLANNING COMMISSION RECOMMENDS APPROVAL OF SAME 7 Speakers **DEFEATED**

7:31 P.M. AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY; CITY-WIDE REZONE; PLANNING COMMISSION RECOMMENDS APPROVAL OF SAME. No Speakers **O#144/2007**

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

INFORMAL RESOLUTIONS:

ASSISTANT MAJORITY LEADER JOE CARBENIA: EXCUSING MEMBERS. (MEM. HAWK & PRES. SCHULMAN ABSENT)

COMMUNICATIONS:

433. ANNEX., DIR., SLIMAN: REQ ORDINANCE ATTACHING THE UPCOMING KOCH KNIGHT ANNEX., TO CURRENT CEDA AGMT W/ OSNABURG. - ANNEXATION COMMITTEE
434. AUDITOR MALLONN (CITY): CERTIFICATE OF TOTAL AMT FR: 2007 ALL SOURCES. - RECEIVED & FILED
435. AUDITOR MALLONN (CITY): SUBMIT MO. RPT. BY FUND THRU 7/31/07. - RECEIVED & FILED
436. AUDITOR MALLONN (CITY): SUBMIT YRLY. RPT. BY FUND THRU 7/31/07. - RECEIVED & FILED
437. C & ED DIR., POORMAN: AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AN AGMT W/COATING SERVICES, INC. FOR THE NEW JOB CREATION INCENTIVE PROG. & NET PROFITS INCENTIVE PROG. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
438. C & ED DIR., POORMAN: REQ AN ORDINANCE IN ACCORDANCE W/O# 190/97 LAND DISPOSITION PROG. TO ESTABLISH THE FAIR MKT VALUE OF A PARCEL OF REAL PROPERTY ON CLARENDON AVE SW & AUTHORIZING THE DISPOSITION OF SAID PROPERTY. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
439. CULTURAL CENTER FOR THE ARTS, NKA ARTS IN STARK, APPLICANT: APP OF VACATION OF A PORTION OF WISE CT NW, AKA DESERT INN CT NW. - PLANNING COMMISSION
440. GROFFRE INVESTMENTS, APPLICANT: APP OF VACATION OF A 0.026 ACRE STRIP ALONG THE S. R-O-W LINE OF MULBERRY RD SE. - PLANNING COMMISSION
441. HAWK, GREG, WARD 1 CNCLMBR: REQ TO LAW DIR., TO PREPARE LEGISLATION TO INCREASE PENALTY FOR CONVICTIONS OF PROSTITUTE-RELATED ACTIVITIES WITHIN 1,000 FT OF OUR SCHOOLS & PARKS. - JUDICIARY COMMITTEE
442. HAWK, GREG, WARD 1 CNCLMBR: REQ TO LAW DIR., TO PREPARE LEGISLATION TO DEMOLISH 1231 - 12TH ST NW DUE TO IT POSING A LIFE-SAFETY RISK TO THE RESIDENTS OF CITY OF CANTON. - FINANCE COMMITTEE
443. HEALTH COMMISSION, PATTISON: REQ ADDITIONAL FUNDS OF \$15,000.00 BE APPROP INTO THE 1001 30 30 01 73458 SUPPLIES ACCT. TO OPERATE THE FOREIGN TRAVEL CLINIC & OTHER CLINICS TO PROVIDE REQ VACCINATIONS TO THE RESIDENTS OF OUR COMMUNITY WHO TRAVEL OUT OF THE COUNTRY FOR THE REMAINDER OF 2007. - FINANCE COMMITTEE
444. HERSHBERGER, URIE, APPLICANT: APP OF VACATION OF A 132.7 FT PORTION OF LUTHER PL NE FR: WALNUT AVE TO REX AVE. - PLANNING COMMISSION
445. LIQUOR CONTROL DIV. (OHIO): REQ NEW C1 LIQ. PERMIT FOR AZAEL INC, DBA LA REYNA @ 1123 - 12TH ST NW. - RECEIVED & FILED
446. LIQUOR CONTROL DIV. (OHIO): REQ TRANSFER OF OWNERSHIP OF C1 C2 FR: BP PRODUCTS NORTH AMERICA INC DBA BP FOOD MART 5048 TO: GIANT OHIO LLC DBA GIANT 447 @ 2211 W. TUSCARAWAS. - RECEIVED & FILED
447. SERVICE DIR., CONCATTO: AUTHORIZE MAYOR TO APPLY FOR, ENTER INTO AN AGMT. & REC FUNDS FOR 2008 PROG. OF YEAR FR: CLEAN OHIO CONSERV. FUND THRU THE NATURAL RESOURCES ASSIT. COUNCIL & OHIO

PUB. WKS COMM. - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:
448. SERVICE DIR., CONCATTO:

AUTHORIZE MAYOR TO APPLY FOR, ENTER INTO AGMT & REC FUNDS FOR 2008 PROG. FR: DIR. OF OH. PUBLIC WKS COMM.; AUTHORIZE MAYOR TO EXECUTE CONTRACTS FOR CURRENT STATE CAPITAL IMPROV. & LOCAL TRANSPORTATION IMPROV. PROG. FUNDING FOR CAPITAL IMPROV. PROJ. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**** (COUNCIL RECESSED @ 8:08 PM FOR ADOPTION OF O#6 AND O#10; RECONVENED @ 8:19 PM)**

- 1ST RDG 1. AMEND APPROP O#241/2006, AS AMENDED, MAKING \$43,555.00 SUPP APPROP FR: UNAPP BAL OF 2328 PUBLIC HEATH INFRASTRUCTURE FUND TO: 2328 PUBLIC HEALTH INFRASTRUCTURE GRANT - OTHER; EMERGENCY
Referred to Finance Committee
- 1ST RDG 2. AMEND EXHIBIT A TO CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON O#40/2000, AS AMENDED; EMERGENCY
Referred to Personnel Committee
- 1ST RDG 3. AMEND VARIOUS CHAPTERS OF PART 11, PLANNING & ZONING CODE, OF THE CODIFIED ORDINANCES OF CITY OF CANTON (CITY OF CANTON) **PUB HRG 9/10/07 @ 7:30 PM**
Referred to Judiciary Committee
- 1ST RDG 4. AMEND ZONING O#55/77, AS AMENDED; EMERGENCY (CAR WASH ON HARMONT)
Referred to Judiciary Committee **PUB HRG 9/10/07 @ 7:31 PM**
- 1ST RDG 5. AMEND APPROP O#241/2006, AS AMENDED, MAKING \$45,000.00 SUPP APPROP FR: UNAPP BAL OF 2763 LAW ENFORCEMENT TRUST FUND TO: 2763 LAW ENFORCEMENT TRUST - OTHER; EMERGENCY
Referred to Finance Committee
- 141/2007** 6. AUTHORIZE SERV DIR TO ENTER INTO PARKING AGREEMENTS W/CORNERSTONE I & II FOR THE LEASE OF PARKING SPACES IN THE CORNERSTONE PARKING GARAGE RETRO. 7/1/07 UNTIL 6/30/11; EMERGENCY
Referred to Finance Committee
- 1ST RDG 7. AMEND APPROP O#241/2006, AS AMENDED, MAKING \$500,000.00 APPROP TRANS. FR: 4506 201001 - CITY INFRASTRUCTURE BOND FUND - OTHER TO: 4501 202260 PAVING - OTHER; EMERGENCY
Referred to Finance Committee
- 1ST RDG 8. ESTABLISH THE FAIR MKT VALUE OF REAL PROP. IN CONJUNCTION W/49TH ST & GARDENDALE AVE NE STORM SEWER IMPROV, GP 1074; AUTHORIZE SERV DIR TO NEGOTIATE & PURCHASE SAID PARCELS AT THE ESTABLISHED FAIR MKT VALUES & ENTER INTO PERMANENT STORM SEWER/PEDESTRIAN TRAIL EASEMENTS; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 9. AUTHORIZE MAYOR OR ANNEX. DIR TO FILE AMENDED COOPERATION ECONOMIC DEV. AGMT. IN A PREVIOUSLY FILED ANNEX.; EMERGENCY (KOCH KNIGHT)
Referred to Annexation Committee
- 142/2007** 10. DECLARING BLDG. @ 1231-12TH ST NW A PUBLIC NUISANCE; AUTHORIZE THE SAF DIR TO ENTER INTO CONTRACT FOR DEMOLITION OF SAID BLDG; AUTHORIZE CLERK OF COUNCIL TO CERTIFY COSTS OF DEMO TO STARK CTY AUDITOR; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#11 - #24; O#14 ADOPTED**

- 2ND RDG 11. RESOLUTION W/DRAWING OBJECTION TO RENEW LIQ PERMIT #0003589, AHN INC DBA THE STORE @ 1105 W. TUSC.; EMERGENCY (I & PS)
- 2ND RDG 12. 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 (C & ED)
- 2ND RDG 13. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO \$32,500.00 CONTRACT W/YMCA OF CENTRAL STARK CO PROVIDING GRANT FOR ESSENTIAL SVCS; EMERGENCY (C & ED)
- 143/2007** 14. 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 (C & ED)
- 2ND RDG 15. AMENDING O#17/89 AUTHORIZING MAYOR TO ENTER INTO AMENDED \$500,000.00 CONTRACT W/CANTON CCIC BLK GRANT ADMINISTERING CDBG FUNDS; EMERGENCY (C & ED)
- 2ND RDG 16. 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 (C & ED)
- 2ND RDG 17. 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 (C & ED)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 18. AUTHORIZING MAYOR OR SERV DIR TO CONVEY CITY-OWNED PROPERTY TO CCIC; EMERGENCY (C & ED)
- 2ND RDG 19. 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 (C & ED)
- 2ND RDG 20. AMENDING APPROP O#241/2006 MAKING \$4,030.00 SUPP APPROP FR: UNAPPROP BAL OF 4502 MV PURCHASE FUND; EMERGENCY (Fin)
- 2ND RDG 21. AMENDING APPROP O#241/2006 MAKING \$5,712.87 SUPP APPROP FR: UNAPPROP BAL OF 2111 STR MAINT FUND; EMERGENCY (Fin)
- 2ND RDG 22. AMENDING SEC 943.13 GENERAL DISCHARGE PROHIBITIONS OF THE CODIFIED ORDINANCES (Jud)
- 2ND RDG 23. 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 (Fin)
- 2ND RDG 24. AMENDING CODIFIED ORDINANCE SEC 971.02, RE: SCHEDULE OF RENTAL RATES & OTHER CHARGES (Per & Jud)

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

- DEFEATED 25. 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)
PUB HRG 8/6/07 @ 7:30 PM
- 144/2007 26. AMENDING O#55/77, AS AMENDED, KNOWN AS ZONING ORDINANCE; EMERGENCY (LTS 42465 THRU 42479 ON HANNAH CIR NW)
PUB HRG 8/6/07 @ 7:31 PM
- 145/2007 27. APPROVING & ACCEPTING REPLATTING OF OLTS #1188 & 1189; EMERGENCY (JAMES REED)
- 146/2007 28. APPROVING & ACCEPTING FINAL RECORD PLAT RE: QUEEN ESTHER'S SUBDIVISION; EMERGENCY
- 147/2007 29. 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
- 148/2007 30. 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, AUGUST 20, 2007 in Council Caucus @ 6:15 P.M.**

- 1) Community & Economic Development Committee
- 2) Finance Committee
- 3) Personnel Committee
- 4) Judiciary Committee
- 5) Annexation Committee

PUBLIC SPEAKS: Eric Resnick re: Commending the audience for their fine display of democracy. Also wanting to bring attention to the City's 8th homicide over the weekend.

MISCELLANEOUS BUSINESS: Mary Cirelli re: Wanting to go on record to clarify why she voted no on Ordinance #28; Richard Hart re: Inviting all of the Councilmembers to the Mount Vernon Neighborhood Organization's neighborhood party next Tuesday on 32nd St NW from 5:00 until 8:00 PM; Thomas West re: Applauding all City Service workers for no major incidents this weekend at all the events that took place; Kelly Zachary re: Applauding Market Heights for coming down tonight but asking that they come to Council more often just to see what's going on; Joe Carbenia re: Thanking all of Market Heights for coming down tonight and letting them know that he voted for what he believed was best for the City; Thomas West re: Applauding Joe Carbenia for standing up for what he believes in and asking that the members of Market Heights help Joe by taking care of the corner to help keep it clean and mowed; Don Casar re: Announcing that he voted from his heart on Ordinance #25 and not for development purposes; Butch Kraus re: Informing Market Heights that he will give them assistance in trying to do something with that corner.

ADJOURNMENT: 9:08 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 20, 2007 @ 7:30 PM