

FINAL
AGENDA
7:30 P.M.

CANTON CITY COUNCIL

AUGUST 20, 2007

ROLL CALL: 10 Councilmembers Present, 3 Absent (Don Casar, Greg Hawk and Kelly Zachary)

INVOCATION: Mary Cirelli, At Large Councilmember

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#7, #9, and #13, except O#6, #8, #10, #11, & #12 Retained in Committee; Adopted O#13; Adopted O#16 & #18 As Amended)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

ASST. MAJORITY LEADER JOE CARBENIA: EXCUSING MEMBERS. (CASAR, HAWK & ZACHARY ABSENT)

COMMUNICATIONS:

449. AUDITOR MALLONN (CITY): CERTIFICATE OF TOTAL AMT FR: 2007 ALL SOURCES. - RECEIVED & FILED
450. C & ED DIR., POORMAN: REQ APPROVAL TO ESTABLISH FMV & AUTHORIZE CONVEYANCE OF PARCEL #02-22188 @ 12TH ST NE TO ROBERT MCALLISTER (ABUTTING PROP OWNER). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
451. LAW DIR., MARTUCCIO: REQ APPROVAL OF THE EDITING & INCLUSION OF CERTAIN ORDINANCES ADOPTED FR: 6/30/06 - 6/30/07 TO BE INCORP INTO THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AUTHORIZE LAW DIR TO DISTRIBUTE, FREE OF CHARGE, TO PUBLIC OFFICIALS & PUBLIC INSTITUTIONS, COPIES OF 2007 SUPPLEMENT TO CANTON CITY CODE & TO AFFIX THE PRICE FOR THE SALE OF 2007 SUPPLEMENT TO THOSE HOLDERS OF THE CANTON CITY CODE. - JUDICIARY COMMITTEE
452. LIQUOR CONTROL DIV. (OHIO): REQ NEW D5 LIQ PERMIT FOR OUR LADY OF PEACE MENS CLUB DBA OUR LADY OF PEACE MENS CLUB @ 1001 - 39TH ST NW. - RECEIVED & FILED
453. LIQUOR CONTROL DIV. (OHIO): REQ TRANSFER OF D5 LIQ PERMIT FR: HISTORIC CITI ENTERPRISES LTD, FLOORS 12, 13 & 14 & 14TH FL PATIO TO: SAMMYS AT THE CANTON CLUB INC, FLOORS 12, 13 & 14 & 14TH FL PATIO @ 101 MARKET AVE SOUTH. - RECEIVED & FILED
454. MAYOR CREIGHTON: REQ TO AMEND O#1/2007 TO INCREASE THE APPROP IN A NUMBER OF CITY FUNDS. - FINANCE COMMITTEE
455. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED VACATION OF PORTION OF MULBERRY RD SE (GROFFRE INVESTMENTS). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
456. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED VACATION OF PORTION OF LUTHER PL NE, BETWEEN WALNUT AVE NE AND REX AVE NE (URIE HERSHBERGER). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
457. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED VACATION OF PORTION OF DESERT INN CT NW, SOUTH OF RICHARD PL NW (CANTON CULTURAL CENTER). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
458. SAFETY DIR., HUNT: AUTHORIZE SAF DIR TO PAY \$4,000.00 MORAL OB FOR GRANT TO CENTER FOR MARKETING & OPINION RESEARCH FOR GRANT WRITING SERVICES FOR 2007 COPS TECH GRANT. - FINANCE COMMITTEE
459. SERV DIR., CONCATTO: REQ TO ADVERTISE, REC BIDS & ENTER INTO A 5 YR LEASE AGMT FOR 2 TEN TON HEAVY DUTY DUMP TRUCKS W/THE OPTION TO PURCHASE AT END OF LEASE; REQ \$7,500.00 SUPP APPROP FR: 5201 UNAPPROP WATER FUND BAL FOR COST OF LEASE FOR REMAINDER OF 2007. - FINANCE COMMITTEE
460. SERV DIR., CONCATTO: AUTHORIZE AUDITOR TO ESTABLISH ACCT FOR PURPOSE OF TRACKING RECEIPTS & EXPENDITURES PREVIOUSLY AUTHORIZED BY O#53/2007; REQ \$400,000.00 APPROP FR: UNAPPROP STEIN PROJECT GRANT FUND BAL; AUTHORIZE TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR THE CONSTRUCTION OF PUBLIC INFRASTRUCTURE FOR STEIN INDUSTRIAL PARK, GP 1094; AUTHORIZE TRANSFER OF \$650,000.00 FR: 4506 201001 - 2006 INFRASTRUCTURE BOND FUND TO: 4506 202073 - STEIN INDUSTRIAL PARK, GP 1094 AND \$75,000.00 FR: 5410 202010 - SEWER OPERATING, ENGINEER DAILY OPERATIONS, OTHER CONTRACTORS TO: 5410 202073 - STEIN INDUSTRIAL PARK, GP 1094. - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

461. SMUCKLER, CNCL-AT-LARGE: REQ C & ED CHAIRMAN TO HOLD A MTG TO DISCUSS VACANT LOTS & ABANDONED PROPERTIES IN THE CITY & HOW TO WORK TOGETHER TO ALLEVIATE THE CURRENT HOUSING PROBLEMS; SUGGEST MTG INCLUDE AREA BANKS & LENDING INSTITUTIONS. - RECEIVED & FILED
462. TREASURER, SCHIRACK: 7/31/07 COMPARATIVE RPT OF CASH RECEIPTS. - RECEIVED & FILED
463. TREASURER, SCHIRACK: JULY 2007 DEPOSITS & PAY INS FOR AMBULANCE LOCK BOX ACCT - RECEIVED & FILED
464. TREASURER, SCHIRACK: JULY 2007 PKING MTR REVENUE. - RECEIVED & FILED
465. TREASURER, SCHIRACK: REPORT OF TREAS OFC BANK RECONCILIATION & CITY'S OUTSTANDING INVESTMENTS AS OF 7/31/07. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO JOB CREATION TAX INCENTIVE & NET PROFITS INCENTIVE AGMTS W/COATING SERV., INC. PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE PROG; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 2. ESTABLISH FMV & AUTHORIZE SALE & CONVEYANCE OF PARCEL #02-35101 ON CLARENDON AVE SW TO TODD & LISA HIXSON (ABUTTING PROP OWNERS); EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 3. AMEND APPROP O#241/2006, AS AMENDED, BY MAKING \$15,000.00 SUPP APPROP FR: 1001 UNAPPROP GENERAL FUND BAL; EMERGENCY
Referred to Finance Committee
- 1ST RDG 4. AUTHORIZE MAYOR TO APPLY FOR, ENTER INTO AGMT & ACCEPT FUNDS FOR THE 2008 PROG YEAR FR: THE CLEAN OH CONSERVATION FUND; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. AUTHORIZE MAYOR TO SUBMIT THE NECESSARY APPLICATIONS TO DIR OF OH PUB WORKS COMM & TO EXECUTE CONTRACTS FOR CURRENT STATE CAPITAL IMPROV & LOCAL TRANSPORTATION IMPROV PROG FUNDING FOR CAPITAL IMPROV PROJ; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

SUSPENDED RULE 22A TO ADD O#7, #9, & #13; O#6, #8, #10, #11 & #12 RETAINED IN COMMITTEE; ADOPTED O#13;

RETAINED

IN CMTE 6. 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 (Fin)

2ND RDG 7. AMEND EXHIBIT A TO CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON O#40/2000, AS AMENDED; EMERGENCY (Per)

RETAINED

IN CMTE 8. 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**
(Jud)

2ND RDG 9. AMEND ZONING O#55/77, AS AMENDED; EMERGENCY (CAR WASH ON HARMONT)
(Jud) **PUB HRG 9/10/07 @ 7:31 PM**

RETAINED

IN CMTE 10. 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 (Fin)

RETAINED

IN CMTE 11. 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 (Fin)

RETAINED

IN CMTE 12. 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 (C & ED)

149/2007 13. AUTHORIZE MAYOR OR ANNEX. DIR TO FILE AMENDED COOPERATION ECONOMIC DEV. AGMT. IN A PREVIOUSLY FILED ANNEX.; EMERGENCY (KOCH KNIGHT) (Annex)

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

- 150/2007** 14. RESOLUTION W/DRAWING OBJECTION TO RENEW LIQ PERMIT #0003589, AHN INC DBA THE STORE @ 1105 W. TUSC.; EMERGENCY
- 151/2007** 15. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO \$50,000.00 CONTRACT W/DOMESTIC VIOLENCE PROJ, INC. PROVIDING GRANT FOR MISC SHORT TERM HSG SVCS; EMERGENCY
- AMENDED**
- 152/2007** 16. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO \$32,500.00 CONTRACT W/YMCA OF CENTRAL STARK CO PROVIDING GRANT FOR ESSENTIAL SVCS; EMERGENCY
- 153/2007** 17. AMENDING O#17/89 AUTHORIZING MAYOR TO ENTER INTO AMENDED \$500,000.00 CONTRACT W/CANTON CCIC BLK GRANT ADMINISTERING CDBG FUNDS; EMERGENCY
- AMENDED**
- 154/2007** 18. 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
- 155/2007** 19. 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
- 156/2007** 20. AUTHORIZING MAYOR OR SERV DIR TO CONVEY CITY-OWNED PROPERTY TO CCIC; EMERGENCY
- 157/2007** 21. 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
- 158/2007** 22. AMENDING APPROP O#241/2006 MAKING \$4,030.00 SUPP APPROP FR: UNAPPROP BAL OF 4502 MV PURCHASE FUND; EMERGENCY
- 159/2007** 23. AMENDING APPROP O#241/2006 MAKING \$5,712.87 SUPP APPROP FR: UNAPPROP BAL OF 2111 STR MAINT FUND; EMERGENCY
- 160/2007** 24. AMENDING SEC 943.13 GENERAL DISCHARGE PROHIBITIONS OF THE CODIFIED ORDINANCES
- 161/2007** 25. 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
- 162/2007** 26. AMENDING CODIFIED ORDINANCE SEC 971.02, RE: SCHEDULE OF RENTAL RATES & OTHER CHARGES

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, SEPTEMBER 10, 2007 in Council Caucus @ 6:15 P.M.**

- 1) Community & Economic Development Committee
- 2) Finance Committee
- 3) Judiciary Committee

PUBLIC SPEAKS: Anne Haren re: Stray animal ordinance and the desire to change the number of pets people are limited per household, to not less than 10; Preston Young re: Thanking Mayor for making 3 trips to his area regarding paving. Also thanking Bernie Hunt and Joe Concatto for coming out too. Stating that the paving has not been done yet but is hopeful that Ordinance #11 on the Agenda this evening is in regards to paving his streets.

MISCELLANEOUS BUSINESS: Joe Concatto re: Advising Mr. Young that his street is on the list and hopefully Ordinance #11 will be voted on at the next meeting; Thomas West re: Hopeful that the Water Facility Committee and Family Fun are still looking at Cook Park as a site for a water park; Chip Conde re: Advising Mr. West that the Water Facility Committee is headed by Don Casar and the committee will be meeting in the future with Family Fun regarding a water park; Thomas West re: Asking if there is an Ordinance prohibiting cars parking on sidewalks and advising this is happening a lot on Rowland Ave and constituents are afraid to call the police; Bernie Hunt re: Advising Mr. West that he will get the addresses of these cars parked on the sidewalks from him after the meeting and will inform police department; Mary Cirelli re: Thanking Mayor and Safety Director for the recent drug and prostitution bust on Marion Ave SW and announcing that the constituents are so happy and they say that now they feel safe in their neighborhood. Also asking if the Service Center will have geothermal heating and cooling systems; Joe Concatto: Advising Ms. Cirelli that the specs are already complete for the Service Center and have researched a geothermal heating and cooling system to find there is not enough square footage for this due to the fact that most of the space would most likely be used for storage of the City's trucks; Allen Schulman re; Thanking Mayor, Administration and Council for their support for The Canton Sustainability Collaborative.

ADJOURNMENT: 8:18 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, SEPTEMBER 10, 2007 @ 7:30 PM