

TUESDAY
AGENDA

CANTON CITY COUNCIL

7:30 PM

APRIL 14, 2008

ROLL CALL: 8 Councilmembers Present (Casar, Smuckler, West, Barton & President Schulman absent)

INVOCATION: Joe Carbenia, Ward 9 Councilmember

PLEDGE OF ALLEGIANCE: Led by President Pro Tem Joe Carbenia

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#9 & #11; O#7, #8, #10 & #12 Retained in Cmte; Re#44 Postponed)

PUBLIC HEARINGS:

7:30 PM AN ORDINANCE VACATING PORTIONS OF 4TH ST., SW & WELLS AVE SW; APPROVING & ACCEPTING REPLATTING OF 4.545 ACRES OF LAND FOR THE CANTON FEDERAL CENTER PROJ (CITY OF CANTON); AND DECLARING THE SAME TO BE AN EMERGENCY; SAID TERRITORY ASSIGNED TO WARD 4; PLANNING COMMISSION RECOMMENDED APPROVAL OF SAME **See O#42/2008**
(No Speakers)

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

INFORMAL RESOLUTIONS:

COUNCILMEMBER CARBENIA: EXCUSING MEMBERS. (CASAR, SMUCKLER, WEST, BARTON & PRES. SCHULMAN ABSENT)

40. COUNCIL AS A WHOLE: (POSTPONED FR: 4/7/08) COMMENDING STARK FOUNDATION FOR EFFORTS & CONTRIBUTIONS TO NEIGHBORHOOD ASSNS. - ADOPTED

44. SMITH, C., WARD 4 CNCLMN: SUPPORT FUNDING FOR WATER FACILITY IN WARD 4. - POSTPONED TO 4/21/08

COMMUNICATIONS:

164. ANDERSON, MARTHA, L., APPLICANT: REQ ZONE CH @ 1731 WALLACE AVE., NE FR: R-1a TO PB-4. - PLANNING COMMISSION

165. COURT ADMINISTRATOR KOCHERA: CANTON MUNICIPAL COURT 2007 ANNUAL REPORT. - RECEIVED & FILED

166. HATTIE HARRIS GOOD SPIRITS CLB INT'L: NAT'L THANK YOU DAY & PROCLAMATION OF APPRECIATION TO CANTON CITY COUNCIL FOR THEIR HONESTY & INTEGRITY. - RECEIVED & FILED

167. HEALTH BENEFITS ADMIN., BRESSON: MAR 2008 MO COMPARATIVE RPT OF INSUR CLAIMS & JAN - MAR 2008 PD CLAIMS & COMPARATIVE RPT. - RECEIVED & FILED

168. LAW DIRECTOR MARTUCCIO: REQ TO PREPARE RES FOR NECESSITY & INTENT OF CANTON TO ACQUIRE EASEMENT FOR PROPERTY @ 4020 FAIRCREST ST SW, PERRY TWP ESTABLISHING 20-FT PUB DRAIN EASEMENT FOR DRAINAGE OF PUB ROADWAY & STORM WATER MGMT SYS FOR ADJACENT PROPERTY OWNED BY CANTON COMMERCE DEV., LLC. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

169. MAYOR HEALY: RE-APPT MS. PAULINE DOWNING TO FAIR EMPLOY PRAC BD EFF: 5/1/08 THRU 4/30/11. - PERSONNEL COMMITTEE

170. MAYOR HEALY: APPT OF MS. INDIA JENKINS TO INVEST BD. EFF. RETRO 1/1/08 THRU 12/31/09. - PERSONNEL COMMITTEE

171. MAYOR HEALY: APPT OF MS. BERNADINE JENKINS TO CANTON CITY HEALTH BD. EFF. RETRO 1/1/08 THRU 3/31/13. - PERSONNEL COMMITTEE

172. PLANNING COMMISSION: REZONE LTS #30871 THRU 30873 ON N. SIDE OF W TUSC, E. FR: MONTROSE AVE. FR: R-1a TO PB-1 TO CONSTR. MED BLDG (REQ BY DR. ASIF YOUNUS). PLNG COMM RECOMMENDS APPROVAL. - JUDICIARY COMMITTEE

173. PLANNING COMMISSION: REPLAT LTS #15140 & 15141 & PART OF LTS #15137 THRU 15139 @ SW CORNER OF BELDEN AVE. NE & 6TH/8TH ST CONNECTOR. PLNG COMM RECOMMENDS APPROVAL. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

174. PLANNING COMMISSION: APPROVE MILLS INDUSTRIAL PARK FINAL SUBDIV PLAN. PLNG COMM RECOMMENDS APPROVAL. - PUBLIC SAFETY & THOROUGH- FARES COMMITTEE

175. PLANNING COMMISSION: REPLAT LOTS #6966 THRU 6969, PART OF LTS #6964 & 6965 & PARTS OF LTS #6935 THRU #6940 @ NE CORNER OF 5TH STR & WARNER RD. PLNG COMM RECOMMENDS APPROVAL. (REQ BY JAMES GYALOG) - PUBLIC SAFETY & THOROUGHFARES COMM- ITTEE

176. SERVICE DIRECTOR BERNABEI: ENTER INTO \$35,000.00 AGMT W/CANTON MEDIA WORKS PUB., LLC (CMW) & CANTON CIC FOR PUBLICATION OF 2008 CANTON QUARTERLY MAGAZINE; REQ \$35,000.00 SUPP APPROP FR: 1001 200501 FOR PUBLICATION EXPENSES. - FINANCE COMMITTEE

COMMUNICATIONS - CON'T:

177. SERVICE DIRECTOR BERNABEI: AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO CONTRACT FOR ASPHALT RESURF BY MILL & FILL, GATHERING OLD ASPHALT & LAYING NEW ASPHALT FOR 2008 ASPHALT RESURF PROGRAM. - FINANCE COMMITTEE

178. SERVICE DIRECTOR BERNABEI: WATER MAIN EXTEN FOR MVP REAL ESTATE LTD LOCATED ON KROPF AVE., SW IN PERRY TWP TO SERVE 2 EXISTING COMMERCIAL BUSINESSES, 6 PROPOSED STORAGE BLDGS/UNITS & FUTURE COMMERCIAL DEV. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE

179. SERVICE DIRECTOR BERNABEI: REQ \$220,000.00 APPROP FR: 5225 UNAPP BAL CARNWISE WATER MAIN EXTEN FUND TO INSTALL 12 IN. WATER LINE ON CARNWISE AVE. SW SERVING APPROX 80 HOMES & CONNECTING TO CITY WATER; ADVERTISE, REC BIDS & ENTER INTO CONTRACT TO INSTALL 12 IN. WATER MAIN IN CANTON TWP. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE

180. SERVICE DIRECTOR BERNABEI: ENTER INTO \$30,156.37 CONTRACT FOR 2008 'CONCERT IN THE PARK' W/CANTON SYMPHONY ORCHESTRA ASSN; PROVIDE PAYMENTS TO VENDORS FOR NECESSARY SERVICES @ THE EVENTS HELD IN MONUMENT PK. - FINANCE COMMITTEE

181. SERVICE DIRECTOR BERNABEI: REQ VARIOUS SUPP APPROP, TRANSFERS, ADVANCE REPAYMENTS AS REQ BY CANTON CITY AUDITOR'S OFFICE DEEMED NECESSARY. - FINANCE COMMITTEE

182. SERVICE DIRECTOR BERNABEI: ADVERTISE, REC BIDS, AWARD & ENTER INTO \$100,000.00 CONTRACT FOR 2008 SIDEWALK PROG ADMIN BY CITY OF CANTON ENG DEPT FOR VARIOUS SECTIONS W/IN CITY OF CANTON; REQ APPROP TRANSFER FR: 4501 202001 75812 CAP ENG ADMIN - OTHER CONTRACTORS. - FINANCE COMMITTEE

183. TREASURER SCHIRACK: MAR 31, 2008 COMPARATIVE RPT OF CASH RECEIPTS. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

1ST RDG 1. AMEND O#55/77 REZONING LOT #13901 @ 1111 LAWRENCE RD NE FR: R-1A TO PR-4; EMERGENCY
(Kenneth Robinson-Rmg. Hse)
Referred to Judiciary Committee **PUB HRG 4/28/08 @ 7:30 PM**

1ST RDG 2. AMEND O#55/77 REZONING PART OF LT #762 @ 1825 FERNDAL AVE., NW FR: R-1A TO PR-2; EMERGENCY (Chad & Courtney Miller-duplex rental) **PUB HRG 4/28/08 @ 7:31 PM**
Referred to Judiciary Committee

1ST RDG 3. RESOLUTION ACCEPTING TAX INCENTIVE REVIEW CNCL RECOMMENDATIONS RE: ENTERPRISE ZONE TAX ABATE AGMTS; EMERGENCY
Referred to Community & Economic Development Committee

1ST RDG 4. AMENDING O#164/2001, EX A, CITY OF CANTON CLASS PLAN & SALARIES MGMT & NON-BARG UNIT EMPLOYEES (CLK OF CNCL); EMERGENCY
Referred to Personnel Committee

1ST RDG 5. AMENDING O#164/2001 EX A, CITY OF CANTON CLASS PLAN & SALARIES MGMT & NON-BARG UNIT EMPLOYEES (OPERATIONS ANALYST); EMERGENCY
Referred to Personnel Committee

1ST RDG 6. RESOLUTION APPROVING STATEMENT OF SVCS FOR FIRST TEE PROPERTY OWNER NOTIFYING DATE OF SVCS PROVIDED & PROCEDURES FOR ZONING UPON BEING ANNEXED TO CITY OF CANTON; EMERGENCY
Referred to Annexation Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#9 & #11; #7, #8, #10 & #12 Retained in Cmte)

RETAINED IN

CMTE 7. AUTHORIZE MAYOR TO ENTER INTO AN AMENDED ENTERPRISE ZONE AGMT W/HYDRODEC NORTH AMERICA, INC.; EMERGENCY (C&ED)

RETAINED IN

CMTE 8. AMEND EXHIBIT A TO O#164/2001, AS AMENDED, THE CLASSIFICATION PLAN & SALARIES FOR ALL MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES OF CITY; EMERGENCY (GARY YOUNG) (PERS)

2ND RDG 9. AUTHORIZE SAF DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR PURCHASE OF 165 SPECIALIZED BULLETPROOF VESTS & 10 STANDARD BULLETPROOF VESTS FOR FIRE DEPT; EMERGENCY (FIN)

RETAINED IN

CMTE 10. AMENDING SEC 975.08, RATES; RESPONSIBILITY OF SERV DIR OF CODIFIED ORDINANCES; EMERGENCY (E&PU)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING - CON'T:

2ND RDG 11. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT TO LEASE BACKHOE LOADER FOR WATER DEPT; AUTHORIZE SERV DIR TO ALTERNATIVELY LEASE SAID BACKHOE LDR PURSUANT TO ORC, SEC 125.04; EMERGENCY (FIN)

RETAINED IN

CMTE 12. AUTHORIZE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGMT W/RMI TITANIUM CO. (C&ED and FIN)

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

42/2008 13. VAC PORTIONS OF 4TH ST SW & WELLS AVE SW; APPROP & ACCEPT REPLAT OF 4.545 ACRES OF LAND FOR CANTON FEDERAL CENTER PROJ; EMERGENCY (CITY OF CANTON)

PUB HRG 4/14/08 @ 7:30 PM

43/2008 14. AMEND O# 1/2008, AS AMENDED, BY MAKING \$90,026.14 SUPPLEMENTAL APPROPRIATION FR: UNAPP BAL OF 4509 2006 REC BOND FUND TO: 4509 401070 MALLONN MEM PK - OTHER; EMERGENCY

44/2008 15. AUTHORIZE CITY AUDITOR TO PAY \$45,132.00 TO 3-D SERVICE LTD FOR REPAIR OF MOTOR @ NE WATER TREATMENT PLANT; AMEND O# 1/2008, AS AMENDED, BY MAKING \$45,132.00 SUPP APPROP FR: UNAPP BAL OF 5201 WATER FUND TO: 5201 207012 OUTSIDE REPAIRS - OTHER; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, APRIL 21, 2008 in Council Caucus @ 5:45PM

- 1) Personnel Committee
- 2) Annexation Committee
- 3) Environmental & Public Utilities Committee
- 4) Community & Economic Development Committee
- 5) Judiciary Committee

PUBLIC SPEAKS: Christine Petersen - GAIN Chairperson (a new neighborhood organization) thanked everyone for their support, commended Council & Administration for their help, looking forward to working with everyone to make the neighborhood safe, vision to achieve solutions for problems in the GAIN neighborhood; Diane Wissuchek - Concerns regarding refuse, sewer & water charges, city resident have no options but to pay these charges, we must find a way to recycle; Veronica Callahan - NAVE President invited all to join her in eliminating drugs, gangs and violence in her neighborhood, thanks to Stark Community Foundation for their support; Sharon Skelly asked the city to do something with the old Lehman High School which is starting to be a magnet for crime & vandalism, made suggestions for use of the building.

MISCELLANEOUS BUSINESS: Mary Cirelli questioned how potholes were being filled w/cold patch w/o stamping or rolling; Serv. Dir. Bernabei referred to Councilman Kraus who explained the process of cold patching until the weather is suitable to permanently fix potholes with hot mix; Joe Carbenia reiterated that cold patch will not stay & it is a temporary 'fix'; Mayor Healy thanked NAVE, announced once-a-month Mayor's Night Out held in Council Chambers, informed everyone that Lehman High School is being investigated for other uses; Clerk Timberlake announced Bev Bevington's retirement & thanked her for her years of service.

ADJOURNMENT: 8:13 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, APRIL 21, 2008 @ 7:30 PM