

FINAL
AGENDA
7:30 PM

CANTON CITY COUNCIL

APRIL 28, 2008

ROLL CALL: Eleven Present, One Absent (Member Carbenia)

INVOCATION: Bill Smuckler, Council-At-Large

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#2 & 2nd Rdg O#6, #7, #8, #12, #13, #14, #17 & #18; #9, #10, #11, #15, #16 & #19 Retained in Committee; O#2 Adopted on 1st Rdg; O#18 & #20 Adopted as Amended; O#23 Defeated)

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; ASSIGNED TO WARD 2; PLANNING COMMISSION RECOMMENDED DENIAL OF SAME. **DEFEATED**
(3 Speakers)

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; ASSIGNED TO WARD 7; PLANNING COMMISSION RECOMMENDED APPROVAL OF SAME. **O#52/2008**
(1 Speaker)

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

INFORMAL RESOLUTIONS:

MAJORITY LEADER DON CASAR: EXCUSING MEMBERS. (CARBENIA ABSENT)

48. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF JAMES SLOAN TO CANTON CONSTRUCTION BD RETRO COMMENCING 1/1/08 - 12/31/10. - RETAINED IN CMTE

49. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF RODNEY MEADOWS TO ARCHITECTURAL REVIEW BD RETRO COMMENCING 1/1/08 - 12/31/11. - ADOPTED

50. COUNCIL AS A WHOLE: RATIFYING & REAUTHORIZING ITS COMMITMENT TO AN IMPLEMENTATION OF CURBSIDE RECYCLING AS AUTHORIZED IN RE#243/2006. - ADOPTED

COMMUNICATIONS:

196. BEVINGTON, BEVERLY, COUNCIL ADMIN ASST: ADVISING OF HER RETIREMENT EFFECTIVE 4/30/08. - RECEIVED & FILED

197. HAWK, G., WARD 1 CNCLMN: REQ MODIFICATION TO CHAPTER 1305.05, BD OF BLDG APPEALS, TO INCREASE BOND SCHEDULE TO \$5,000.00 FOR RESIDENTIAL & \$10,000.00 FOR COMMERCIAL & INDUSTRIAL DEMOLITIONS; REQ THAT COMMERCIAL PROPERTIES BE PERMITTED ONE ADD'TL EXTENSION OF 60 DAYS TO COMPLETE NECESSARY REPAIRS UPON SHOWING OF GOOD CAUSE. - JUDICIARY COMMITTEE

198. KOCHERA, M., COURT ADMIN: AUTHORIZE MAYOR TO ENTER INTO AGMT W/STATE OF OH, DEPT OF REHAB & CORRECTION FOR RECEIPT OF \$80,261.00 FY 2009 COMMUNITY CORRECTIONS ACT, JAIL DIV GRANT FOR PERIOD COMMENCING 7/1/08 - 6/30/09. - FINANCE COMMITTEE

199. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D5 LIQ PERMIT FOR MEDINA GOLF MANAGEMENT CORP PATIO & 18 HOLE GOLF COURSE @ 5650 QUARRY LK DR. - RECEIVED & FILED

200. MAYOR HEALY: ADVISING OF APPT OF LT. JACK O. ANGELO III TO CANTON PARK COMM REPLACING DANIEL MOEGLIN WHO VOLUNTARILY VACATED SEAT. - RECEIVED & FILED

201. SAFETY DIRECTOR NESBITT: AUTHORIZE VARIOUS SUPP APPROPS ON BEHALF OF POLICE DEPT. - FINANCE COMMITTEE

202. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATION & CITY'S OUTSTANDING INVESTMENTS AS OF 3/31/08. - RECEIVED & FILED

203. WEST, T., WARD 2 CNCLMN: REQ TO MAYOR TO INVESTIGATE THE UTILIZATION OF CREDIT CARD MACHINES IN CITY DEPTS THAT TAKE PAYMENTS. - 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 AGMT W/KOCH KNIGHT LLC PURSUANT TO CITY'S ECONOMIC GROWTH INCENTIVE PROG; EMERGENCY

Referred to Community & Economic Development Committee

**** (COUNCIL RECESSED @ 7:59 PM FOR C&ED CMTE TO DISCUSS THE ADOPTION OF O#2; RECONVENED @ 8:00 PM)**

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

47/2008 2. DECLARING 8 BLDGS TO BE PUBLIC NUISANCES; AUTHORIZE SAF DIR TO ENTER INTO CONTRACT FOR DEMO OF SAID BLDGS; AUTHORIZE CLERK OF COUNCIL TO CERTIFY COSTS OF DEMOS TO COUNTY AUDITOR; EMERGENCY

Referred to Community & Economic Development Committee

1ST RDG 3. AUTHORIZE SERV DIR TO ENTER INTO TWO-YR PROF SERV CONTRACT W/KIKO AUCTIONEERS, INC TO CONDUCT AUCTIONS @ CANTON SERV CENTER FOR SALE OF JUNK & SCRAP ITEMS & IMPOUNDED VEHICLES; EMERGENCY

Referred to Finance Committee

1ST RDG 4. AMEND APPROP O#1/2008, AS AMENDED, BY MAKING VARIOUS SUPP APPROPS & APPROP REDUCTIONS; EMERGENCY (SUMMER PROGRAMS)

Referred to Finance Committee

1ST RDG 5. AUTHORIZE SERV DIR &/OR SAF DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT(S) FOR PURCHASE &/OR LEASE OF VARIOUS MOTOR VEHICLES & OTHER ITEMS OF RELATED EQUIPMENT FOR VARIOUS CITY DEPTS; AUTHORIZING SAID DIRECTORS TO ALTERNATIVELY PURCHASE &/OR LEASE SAID VEHICLES & EQUIPMENT PURSUANT TO O.R.C. SEC 125.04 & 5513.01; AMEND APPROP O#1/2008; EMERGENCY

Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#6, #7, #8, #12, #13, #14, #17 & #18; O#9, #10, #11, #15, #16 & #19 RETAINED IN CMTE)

2ND RDG 6. AMENDING O#164/2001, EX A. CITY OF CANTON CLASS PLAN SALARIES MGMT & NON-BARG UNIT EMPLOYEES (GARY YOUNG); EMERGENCY (PER)

&

2ND RDG 7. AMENDING O#164/2001, EX A, CITY OF CANTON CLASS PLAN & SALARIES MGMT & NON-BARG UNIT EMPLOYEES (CLK OF CNCL); EMERGENCY(PER)

2ND RDG 8. AMENDING O#164/2001 EX A, CITY OF CANTON CLASS PLAN & SALARIES MGMT & NON-BARG UNIT EMPLOYEES (OPERATIONS ANALYST); EMERGENCY (PER)

RETAINED

IN CMTE 9. RESOLUTION DECLARING NECESSITY & INTENT OF CITY TO ACQUIRE AN EASEMENT IN PROP OUTSIDE OF CITY'S CORP LIMITS PURSUANT TO O.R.C. CHAPTER 719 TO PROMOTE DRAINAGE OF CITY'S PUBLIC ROADWAY & STORM WATER SYSTEM IN AN ADJACENT PROP OWNED BY CANTON COMMERCE DEV LLC; EMERGENCY (PS&T)

RETAINED

IN CMTE 10. APPROVE & ACCEPT REPLAT OF LTS 15140 & 15141 & PARTS OF LTS 15137 - 15139; EMERGENCY (PS&T)

RETAINED

IN CMTE 11. APPROVE & ACCEPT FINAL SUBDIVISION PLAT FOR MILLS IND PK IN CITY OF CANTON; EMERGENCY (PS&T)

2ND RDG 12. APPROVE & ACCEPT REPLAT OF LTS 6966 - 6969, PARTS OF LTS 6964 & 6965 & PARTS OF LTS 6935 - 6940; EMERGENCY (PS&T)

2ND RDG 13. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/CANTON MEDIA WORKS PUBLISHING, LLC FOR PUBLICATION OF CANTON QUARTERLY MAG FOR 2008; AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/CCIC FOR DISTRIBUTION OF CANTON QUARTERLY MAG; EMERGENCY (FIN)

2ND RDG 14. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR ASPHALT RESURFACING PROG FOR 2008; EMERGENCY (FIN)

RETAINED

IN CMTE 15. APPROVE A CANTON CITY WATER MAIN EXTENSION TO PERRY TWP; AUTHORIZE SERV DIR TO ENTER INTO CONTRACT FOR EXT OF SAID WATER MAIN; EMERGENCY (E&PU)

RETAINED

IN CMTE 16. AUTHORIZE SERV DIR TO ACCEPT GRANT FR: ASHLAND, INC; AUTHORIZE AUDITOR TO ESTABLISH THE 5225 CARNWISE WATER MAIN EXT FUND; AMEND SUPP APPROP O#1/2008; AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR SAID WATER MAIN EXT; EMERGENCY (E&PU)

2ND RDG 17. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/CANTON SYMPHONY ORCHESTRA ASSOC IN AMT NOT TO EXCEED \$30,156.37 FOR 2008 CONCERT IN PARK (FIN)

AS AMENDED

48/2008 18. AMEND APPROP O#1/2008, AS AMENDED, BY MAKING VARIOUS SUPP APPROPS, APPROP TRANSFER, ADVANCE & ADVANCE REPAYMENT; EMERGENCY (FIN)

RETAINED

IN CMTE 19. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR 2008 SIDEWALK PROG; AMEND APPROP O#1/2008, AS AMENDED, BY MAKING \$100,000.00 APPROP TRANSFER; EMERGENCY (FIN)

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

AS AMENDED

49/2008 20. AUTHORIZE MAYOR TO ENTER INTO AN AMENDED ENTERPRISE ZONE AGMT W/HYDRODEC NORTH AMERICA, INC.; EMERGENCY

50/2008 21. AMENDING SEC 975.08, RATES; RESPONSIBILITY OF SERV DIR OF CODIFIED ORDINANCES; EMERGENCY

51/2008 22. AUTHORIZE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGMT W/RMI TITANIUM CO

DEFEATED 23. AMEND O#55/77 REZONING LOT #13901 @ 1111 LAWRENCE RD NE FR: R-1A TO PR-4; EMERGENCY
(Kenneth Robinson-Rmg. Hse)_____ **PUB HRG 4/28/08 @ 7:30 PM**

52/2008 24. 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**

53/2008 25. RESOLUTION ACCEPTING TAX INCENTIVE REVIEW CNCL RECOMMENDATIONS RE: ENTERPRISE ZONE TAX ABATE AGMTS; EMERGENCY

54/2008 26. 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, MAY 5, 2008 in Council Caucus @ 4:00 P.M.

- 1) Water Facilities Committee

MONDAY, MAY 5, 2008 in Council Caucus @ 5:00 P.M.

- 1) Finance Committee
- 2) Personnel Committee
- 3) Environmental & Public Utilities Committee
- 4) Public Property Capital Improvement Committee
- 5) Public Safety & Thoroughfares Committee
- 6) Community & Economic Development

WEDNESDAY, MAY 7, 2008 in Council Caucus @ 5:30 P.M.

- 1) Sidewalk & Street Light Committee

PUBLIC SPEAKS: Frederick Meacham re: Asking that the request for Downtown Center for Teenagers not be implemented because activities are available for teens through churches and Urban League and relaying that he believes taxpayer's money should not be used for something like this.

MISCELLANEOUS BUSINESS: Member West re: Advising that a beer bottle was thrown through his bus window and asking what the policy is on fingerprinting; Chief McKimm re: Advising that each situation different and fingerprinting does not usually happen for minor criminal damaging because there are expenses and time involved, but advising that if Member West had the evidence that he would take it; Member West re: Presented bottle in envelope to the Chief; Member Smith re: Commended Chief McKimm & police for their visibility in the 4th Ward; Law Director Martuccio re: Advising that tree Ordinance has been drafted and requesting time set aside to discuss in a couple of weeks; Member Kraus re: Asking how close we are on the hiring of an Animal Control Officer; Law Director Martuccio re: Advising that the Law Department sent job description to Council for revisions and/or approval; President Schulman re: Advising Mr. Meacham that he meant no disrespect to him under Public Speaks and he appreciates citizens coming to Council to express their concerns.

ADJOURNMENT: 8:36 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MAY 5, 2008 @ 7:30 PM