

**FINAL**  
**A G E N D A**  
**7:30 PM**  
**2008**

CANTON CITY COUNCIL

SEPTEMBER 22,

**ROLL CALL:** Twelve Present

**INVOCATION:** Greg Hawk, Ward 1 Councilman

**PLEDGE OF ALLEGIANCE:** Led by President Allen Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>st</sup> Rdg O#1; 2nd Rdg O#4, O#6, O#7, & O#8) O#1 Adopted on 1<sup>st</sup> Rdg; O#8 Adopted on 2<sup>nd</sup> Rdg; O#5 - Retained in Cmte; O#9 - Postponed until 10/20/08

**PUBLIC HEARINGS:** (None)

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

**INFORMAL RESOLUTIONS:**

MAJORITY LEADER DON CASAR:

EXCUSING MEMBERS. (not necessary)

85. COUNCIL AS A WHOLE:

COMMENDING MARI MOSS FOR DEDICATION TO THE YOUTH OF OUR COMMUNITY. - ADOPTED

86. WEST, T., WARD 2 CNCLMBR:

REQ COMMITMENT OF FED GRANT FUNDING FOR CONSTRUCTION OF NEW PLAYGRND IN NIMISILLA PARK. - ADOPTED

**COMMUNICATIONS:**

372. HEALTH COMMISSIONER, ADAMS:

REQ \$77,389.33 FROM UNAPP. FUNDS OF 2328, PUBLIC HEALTH INFRASTRUCTURE TO 2328 PUBLIC HEALTH INFRASTRUCTURE FUND. - FINANCE COMMITTEE

373. MAYOR WILLIAM HEALY II:

LTR OF CORRECTION TO C#189 ON AGENDA DATED 4/21/08 FOR THE TERM OF DANNY THOMPSON (COMMUNITY REINVESTMENT AREA HOUSING COUNCIL) WHICH SHOULD EXPIRE ON FEB 28, 2011 NOT FEB. 2013. - RECEIVED & FILED

374. SAFETY DIRECTOR NESBITT:

JUNE & JULY 2008 RPT OF INMATES INCARCERATED UNDER CITY ORDINANCE PROVIDED BY STK CTY SHERIFF SWANSON. - RECEIVED & FILED

375. SAFETY DIRECTOR NESBITT:

REQ AUTHORIZATION TO ENTER INTO CONTRACT WITH PHILIP SEDLACKO FOR ANIMAL CONTROL NOT TO EXCEED \$15,000.00 FOR THE PERIOD OF OCT. 15, 2008 TO DEC. 31, 2008. - FINANCE COMMITTEE

376. SAFETY DIRECTOR NESBITT:

REQ AUTHORIZATION TO ENTER INTO PROF SERV CONTRACT WITH ANGELA CAVENAUGH FOR CONT DUTIES AS CITY'S CONTRACT PLANS EXAMINER NOT TO EXCEED \$30,000.00 (RATE OF \$75 PER HR) SUPP. APPR. FR: 1001 TO: 1001 101501. - FINANCE COMMITTEE

377. SERVICE DIRECTOR BERNABEI:

REQ AUTHORIZATION FOR SUPP APPROP, APPROP TRANSFERS AND APPROP REDUCTIONS TO MOVE EXISTING FUNDS WITHIN DEPTS. - FINANCE COMMITTEE

378. SIEGFRIED, P., APPLICANT:

REQ ZONE CHG FOR 112 DUEBER AVE SW FROM B-3 TO PB-4 TO ADD AN ELECTRONIC MESSAGE CENTER BOARD. - PLANNING COMMISSION

379. SLIMAN, S., AGENT FOR PETITIONER:

ANNEXATION PETITION DOCUMENTS FOR AREA TO BE KNOWN AS " THE KEY BANK ANNEXATION AREA". - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

***\*(COUNCIL RECESSED @ 7:56PM FOR FINANCE CMTE TO DISCUSS ADOPTION OF O#1; RECONVENED @ 7:58PM)***

**138/2008** 1. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AMENDED COOP AGMT & REC FUNDS OF \$1,967.00 FR: DEPT OF HSNG & URBAN DEV; EMERGENCY (TRAINING ACADEMY)  
Referred to Finance Committee

1<sup>ST</sup> RDG 2. AMEND O#1/2008 REQ \$16,185.00 SUPP APPROP TO BRING AVAILABLE FUNDS FOR CONTRACT W/STARK CNTY PUBLIC DEFENDER; EMERGENCY.  
Referred to Finance Committee

1<sup>ST</sup> RDG 3. AUTHORIZE SERV DIR TO ENTER INTO 1 YR EXTENSION OF EXISTING COAL MINING LEASE AGMT W/ENZ, INC FOR MINING OF COAL & OTHER MINERALS ON CITY PROPERTY IN PIKE TOWNSHP; APPROVE ASSIGNMENT BY ENZ, INC OF LEASE AGMT/EXTENSION TO VALLEY MINING, INC.; EMERGENCY  
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**

**(SUSPENDED RULE 22A TO ADD O#4, O#6, O#7, O#8; O#5-RETAINED IN CMTE; O#8 ADOPTED ON 2<sup>ND</sup> RDG)**

2<sup>ND</sup> RDG 4. **RETAINED IN CMTE 8/25/08 & 9/8/08** AMEND EXHIBIT A TO O#164/2001, AS AMENDED, CLASSIFICATION PLAN FOR MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES OF CITY;

- EMERGENCY (PER)
- RETAINED IN CMTE** 5. **RETAINED IN CMTE 9/8/08** AUTHORIZE SERVICE DIR TO ADVERTISE, REC BIDS, & ENTER INTO CONTRACT FOR PURCHASE & INSTALLATION OF ONE PRE-MANUFACTURED CONCRETE RESTROOM BLDG FOR MALLONN PARK; EMERGENCY (FIN)
- 2nd RDG 6. AMEND SEC 921.02, ELIGIBILITY, OF CODIFIED ORDINANCES (SID BORDERS) (JUD)
- 2nd RDG 7. AUTHORIZE CITY TO ACCEPT DONATION OF REAL PROP FROM MILDRED & MARY ANN BECK; EMERGENCY (LT 38577 ON MARKET AVE N, LT 27424 ON WOOSTER AVE NE, PART OF LT 413 ON RAYNOLDS PL SW) (C&ED)
- 139/2008** 8. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO CNTY AUDITOR UNPAID & DELINQUENT CHARGES FOR WATER &/OR SEWER SERVICES; EMERGENCY (E&PU)

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

**POSTPONED TO**

- 10/20/08** 9. **POSTPONED FROM 9/8/08** AUTHORIZE SERV DIR TO CONVEY CITY OWNED PROP TO CCIC; EMERGENCY
- 140/2008** 10. AUTHORIZE SAF DIR TO ACCEPT GRANT IN AMT OF \$4,000.00 FROM OH DEPT OF PUBLIC SAF FOR FIRE DEPT; AMEND O#1/2008 BY MAKING SUPP APPROP FOR SAME; EMERGENCY
- 141/2008** 11. APPROVE & ACCEPT REPLAT OF LOT #14320 & PART OF LOT #14321; EMERGENCY (AUBURN PL NW)
- 142/2008** 12. AUTHORIZE AUDITOR TO PAY \$13,694.79 MORAL OB TO SPITZER CHEVROLET CO; EMERGENCY
- 143/2008** 13. AUTHORIZE MAYOR &/OR SERVICE DIR TO MAKE APPLICATION, EXECUTE GRANT AGMT & ACCEPT FUNDS FOR GRANT FROM OHIO & ERIE CANALWAY ASSOC FOR EXPANSION OF PASSENGER LOADING AREA @ CANTON LINCOLN HWY STATION; EMERGENCY

**ANOUNCEMENT OF COMMITTEE MEETINGS:**

**MONDAY, SEPTEMBER 29, 2008 in Council Caucus @ 6:45 P.M.**

1) Finance Committee

**PUBLIC SPEAKS:** Veronica Earley re: Darryl Ross murder. Spoke for entire family of brother shot by SWAT team while showering. Mentioned what a nice man he was and demanded an outside investigation since the Police are unable to police themselves. James Smith Sr., re: Lack of response time by Police Dept. States he has been threatened by drug dealers and the police were slow to arrive and also witnessed a traffic accident in which police arrived after EMS had already taken the persons to the hospital. This needs to be corrected. Jason Scaglioe re: Need of more police office. During recent storm he phoned in a live power line down and a Fire truck was sent out with 5 firemen to guard the line until AEP could be here to correct the problem. Concerned over expense of truck and men and thought it would be much cheaper for a single officer and cruiser to do the same work. Patricia Kirk re: Tree Ordinance. She did notice that most trees that were regularly trimmed sustained much less damaged in the storm than trees that were not maintained properly. Brought in a worksheet to log maintenance of trees through committees and ordinances. Again mentioned "Green" meeting this Thursday 9/25/08.

**MISCELLANEOUS BUSINESS:** Member Hawk spoke of 2 men found living in a vacant home. When questioned one of the men had a sword and they also found a warrant and some ammunition after they left the premises. Just another reason why vacant homes need demolished. Member Kraus - congrats to Nimisilla Park resolution passing but saddened by all of the problems with the use of park equipment overall in the city. Very nice park in Ward 8 that is not being used. Law Director Martuccio thanking theater cast members and providing condolences to the family of Darryl Ross. Asked Council and Administration to refrain from speaking regarding the case until the investigation was complete. Safety Director Nesbitt re: Extra condolences to the families involved both the Ross family and the family of the officer. Case currently sealed by Grand Jury but he is sure that all items will be open and transparent when all items are released. Member Cirelli re: Thanks to Safety Director Nesbitt for his help with AEP during recent storm and wants to form a group to prevent this in the future. Member Kraus re: Thanks to Clerk and staff for help with his calls and emails while he was without power. Member West with thank you to Mari Moss for all of the help with kids including the positive billboards for the youth movements. Mayor Healy giving condolences to the Ross Family and praise to long time friend Mari Moss. Also introduced the Interim Director of the Urban League Vince Watts. Member Carbenia also thanking all city employees for their handling of the power outages including Safety and Service Directors, Mayor, Fire and Police Chiefs and depts as well as street department for a job well done. Express sympathy to the Ross family for their loss.

**ADJOURNMENT:** 8:27 PM

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, SEPTEMBER 29, 2008 @ 7:30 PM**