

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

CANTON CITY COUNCIL

OCTOBER 6,

ROLL CALL: All Councilmembers Present

INVOCATION: Jim Griffin, Ward 3 Councilman

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#10 - O#13)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

MAJORITY LEADER DON CASAR: EXCUSING MEMBERS. (Not necessary)

87. BARTON, P., WARD 7 CNCLMBR: REQ STREET LIGHT ON EXISTING POLE #771C2-68 AT 1829 HILLCREST NW. - ADOPTED

COMMUNICATIONS:

391. AUDITOR MALLONN (CITY): CERT OF TOTAL AMT FR ALL SOURCES FOR 2008. - RECEIVED & FILED

392. AUDITOR MALLONN (CITY): MONTH RPT BY FUND FOR 9/1/08 - 9/30/08. - RECEIVED & FILED

393. AUDITOR MALLONN (CITY): YEARLY RPT BY FUND FOR 1/1/08 - 9/30/08. - RECEIVED & FILED

394. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR TO SUBMIT, EXECUTE & ACCEPT GRANT AGMTS W/HUD FOR 2009 CDBG, HOME, & ESG GRANTS; AUTHORIZE MAYOR TO REVISE &/OR AMEND CONSOLIDATED PLAN & BUDGETS FOR CDBG, HOME, & ESG; AUTHORIZE & DIRECT AUDITOR TO REVISE BUDGETS AS PERMITTED BY CDBG, HOME, & ESG REGULATIONS & HUD; UTILIZE ESTABLISHED FUND ACCTS KNOWN AS CDBG & HOME & DRAW HIS WARRANTS AGAINST CDBG FUND & HOME FUND BASED UPON RECEIPT OF VOUCHERS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

395. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D1 D3 LIQ PERMIT FOR EVETS ENTERPRISES INC DBA PAPA GYROS @ 2045 CLEVELAND AVE NW. - RECEIVED & FILED

396. OHIO EPA: ISSUANCE OF FINDINGS OF NO SIGNIFICANT IMPACT FOR CITY OF CANTON - NORTHWEST WATER TREATMENT PLANT PROJECT FS-390420-01. - RECEIVED & FILED

397. SAFETY DIRECTOR NESBITT: REQ PAYMENT OF \$1,050.00 MORAL OB TO ANGELA CAVANAUGH FOR PLANS EXAM SERVS EXCEEDED ORIGINAL CONTRACT. - FINANCE COMMITTEE

398. SMUCKLER, W., ANNEXATION CHAIRMN: REQ STATEMENT OF SERVICES FOR CANTON AUTO ANNEXATION. - ANNEXATION COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

1ST RDG 1. AMEND O#55/77, ZONING; EMERGENCY (City request - Ward 6)
Referred to Judiciary Committee

PUB HRG: 10/27/08 @ 7:30PM

1ST RDG 2. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO INCENTIVE AGMTS W/SHERI'S SWEETS, INC. FOR GROWTH INITIATIVE PROGRAM; EMERGENCY
Referred to Community & Economic Development Committee

1ST RDG 3. AUTHORIZE SERV DIR TO ENTER INTO LEASE AGMT W/LOUIS SHAHEEN DBA MIDTOWN CAFÉ FOR COMM SPACE IN CORNERSTONE PARKING DECK; EMERGENCY
Referred to Community & Economic Development Committee

1ST RDG 4. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/STK COMM FOUNDATION FOR GRANT NOT TO EXCEED \$50,000.00; EMERGENCY
Referred to Community & Economic Development Committee

1ST RDG 5. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/MENTORING NETWORK OF STK CNTY FOR GRANT NOT TO EXCEED \$50,000.00; EMERGENCY
Referred to Community & Economic Development Committee

1ST RDG 6. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/HABITAT FOR HUMANITY OF STK & CARROLL CNTY FOR GRANT NOT TO EXCEED \$150,000.00 FOR REIMBURSE MISC INFRASTRUCTURE COSTS; EMERGENCY
Referred to Community & Economic Development Committee

1ST RDG 7. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/DOMESTIC VIOLENCE PROJECT, INC. FOR GRANT NOT TO EXCEED \$50,000.00 FOR MISC SHORT TERM HSG SERV; EMERGENCY
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 8. ESTABLISH FAIR MKT VALUE OF EASEMENTS IN REAL PROP; AUTHORIZE SERV DIR TO NEGOTIATE & ACQUIRE EASEMENTS; EMERGENCY (4020 FAIRCREST SW - ELAINE IRWIN)
Referred to Community & Economic Development and Environmental & Public Utilities Committees
- 1ST RDG 9. RESOLUTION ACCEPTING AMTS & RATES AS DETERMINED BY BUDGET COMM & AUTHORIZE NECESSARY TAX LEVIES & CERTIFY THEM TO CNTY AUDITOR
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#10 - O#13)**

- 2ND RDG 10. AUTHORIZE SAF DIR TO ENTER INTO PROF SERV CONTRACT W/PHILIP SEDLACKO FOR ANIMAL CONTROL SVCS FOR CITY; AMEND APPROP O#1/2008 BY MAKING \$25,000.00 INTERFUND TRANSFER; EMERGENCY (FIN)
- 2ND RDG 11. AUTHORIZE SAF DIR TO ENTER INTO PROF SVCS CONTRACT W/ANGELA CAVANAUGH FOR PLANS EXAMINATION DUTIES FOR BLDG DEPT; AMEND APPROP O#1/2008 BY MAKING \$30,000.00 SUPP APPROP; EMERGENCY (FIN)
- 2ND RDG 12. AMEND APPROP O#1/2008, AS AMENDED, BY MAKING SUPP APPROPS, APPROP TRANSFERS, APPROP REDUCTIONS & INTERFUND TRANSFERS; EMERGENCY (TO MOVE EXISTING FUNDS WITHIN DEPTS) (FIN)
- 146/2008 13. RESOLUTION APPROVING STATEMENT OF SVCS FOR ESLICH ANNEXATION AREA; EMERGENCY (ANNEX)

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

- 147/2008 14. AMEND O#1/2008 REQ \$16,185.00 SUPP APPROP TO BRING AVAILABLE FUNDS FOR CONTRACT W/STARK CNTY PUBLIC DEFENDER; EMERGENCY
- 148/2008 15. 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 TOWNSHIP; APPROVE ASSIGNMENT BY ENZ, INC OF LEASE AGMT/EXTENSION TO VALLEY MINING, INC.; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, OCTOBER 20, 2008 in Council Caucus @ 6:00 P.M.**

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

PUBLIC SPEAKS: Kent Oliver Executive Director of Stark County District Library to discuss Issue 53. This is not a new operating levy and is not a new tax but a renewal to continue the staffing of branches and prevent a deficit. The Stark County Library rates 6th in nation for servicing this size population and has 146,000 card holders. They checked out 4 million items in 2007 and hold community job fairs and other related items for the city and county.

MISCELLANEOUS BUSINESS: Council at Large Don Casar spoke on the opinions of Judge Klide regarding the 1973 Park Commission decisions and 1974 management of all parks that can not be governed by City Council. While the appropriation of funds for parks does come from Council, the decisions should come from the Park Commission and the Service Director. The park board was created and established by the voters in 1920. Don will meet with Law Director Martuccio and the Park Commissioner to discuss further the legalities of who would be the final decision in which park a handicap/disabled children's equipment would be placed. Council Member Thomas West also spoke on behalf of the disabled children's equipment still being placed within Nimisilla Park and stated that Nimisilla deserves this equipment for the restoration and growth of this park. He feels that Stadium Park already has a sufficient amount of things to do and thinks that if there was more to offer in Nimisilla Park that this would bring more people into the actual city to do more things rather than enjoy the park and get back onto Interstate 77 and exit Canton. He also mentioned that the city is trying to rebuild the Mahoning corridor and since police reports show that Nimisilla has fewer crime calls than Stadium this would be the ideal spot for this equipment. Council Member Chris Smith agrees with Member West that Nimisilla Park deserves this equipment because many organizations such as churches use this park for family events and many would use this facilities. Council President Allen Shulman thinks that it is sad that this decision over where to place handicap playground equipment because all parks should be funded and nice for our city. Council Member Jim Griffin stated that the Preservation Society would be opening a resale shop at 1127 W Tusc on October 18, 2008. Please feel free to take old photos or other items for display or restoration.

ADJOURNMENT: 8:09 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 20, 2008 @ 7:30 PM