

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

CANTON CITY COUNCIL

OCTOBER 27,

**ROLL CALL:** All Councilmembers Presents

**INVOCATION:** Terry Prater, Ward 5 Councilmember

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

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>ST</sup> Rdg O#3 and 2<sup>nd</sup> Rdg O#9, #10, #11, #12, #14, & O#15; O#3 Adopted on 1<sup>ST</sup> Rdg; O#8 & O#13 Retained in Committee; O#12 and O#15 Adopted on 2<sup>nd</sup> Rdg)

**PUBLIC HEARINGS:**

7:30 PM 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; PLANNING COMMISSION RECOMMENDED THE SAME (WARD 6) **O#156/2008**

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

**INFORMAL RESOLUTIONS:**

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

88. COUNCIL AS A WHOLE: OBJECTING TO 45% RATE INCREASE OVER NEXT 3 YEARS PROPOSED BY AEP. - ADOPTED

**COMMUNICATIONS:**

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

414. MAYOR WILLIAM HEALY II: REQ REAPPOINT CHARLES DEGRAFF TO SARTA BOARD FOR 3 YR TERM FROM 9/1/08 - 8/31/11. - PERSONNEL COMMITTEE

415. MAYOR WILLIAM HEALY II: REQ APPT DUSTIN WRIGHT TO SYSTEMS PLANNING BOARD FOR 2 YR TERM FROM 10/1/08 - 10/1/10. - PERSONNEL COMMITTEE

416. MAYOR WILLIAM HEALY II: REQ APPT JOSEPH G COLE TO BOARD OF ZONING APPEALS TO FILL REMAINING TERM OF KAREN BUTERA FROM 10/1/08 - 12/31/09. - PERSONNEL COMMITTEE

417. CANTON POLICE DEPARTMENT: 2007 ANNUAL REPORT. - RECEIVED & FILED

418. SERVICE DIRECTOR BERNABEL: REQ EXPANSION & ELIGIBILITY IN CITYSCAPE PGM FOR SID AREA AT 600 & 612 6<sup>TH</sup> St NW. ENGINEER ADVISES HE HAS AVAILABLE FUNDS FOR THIS PROJECT. - JUDICIARY COMMITTEE

419. STARK COUNTY COMMISSIONERS: RESOLUTION APPROVING ANNEXATION OF KEY BANK. - PLANNING COMMISSION

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

1<sup>ST</sup> RDG 1. AMEND VARIOUS SECTION OF PART THREE - TRAFFIC CODE  
Referred to Judiciary Committee

1<sup>ST</sup> RDG 2. APPROVE & ACCEPT REPLAT OF LOT #42504 & PART OF OUT LOT #935; EMERGENCY (HAMMONTREE & ASSOC, FULTON RD NW & PARK NW)  
Referred to Public Safety & Thoroughfares Committee

***\*(COUNCIL RECESSED @ 7:45 PM FOR COMMUNITY & ECONOMIC DEV CMTE TO DISCUSS ADOPTION OF O#3; RECONVENED @ 7:46 PM)***

153/2008 3. AUTHORIZE SAFETY DIR TO ENTER INTO CONTRACT FOR DEMO OF 18 BLDGS DECLARED TO BE A PUBLIC NUISANCE; EMERGENCY  
Referred to Community & Economic Development Committee

1<sup>ST</sup> RDG 4. AUTHORIZE SAFETY DIR TO ENTER INTO CONTRACT W/FEDERAL SIGNAL CORP FOR PURCHASE & INSTALLATION OF WARNING SIREN; EMERGENCY  
Referred to Finance Committee

1<sup>ST</sup> RDG 5. AMEND APPROP O#1/2008, AS AMENDED, BY MAKING SUPP APPROPS; EMERGENCY  
Referred to Finance Committee (Civil Serv., Sewer, Police)

1<sup>ST</sup> RDG 6. AUTHORIZE SERVICE DIR TO MAKE APPLICATION, ACCEPT & EXECUTE GRANTS FROM STARK-TUSC-WAYNE JOINT SOLID WASTE MGMNT DISTRICT; EMERGENCY  
Referred to Finance Committee

1<sup>ST</sup> RDG 7. AUTHORIZE MAYOR &/OR SERVICE DIR TO APPLY FOR, ACCEPT & EXECUTE A GRANT FROM CLEAN OHIO CONSERVATION FUND FOR PURCHASE OF APPROX 12 ACRE PARCEL ADJACENT TO MALLONN PARK; EMERGENCY  
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:*****(SUSPENDED RULE 22A TO ADD O#9, 10, 11, 12, 14, 15; O#8 & O#13 Retained in Cmte)*****RETAINED**

- IN CMTE** 8. **RETAINED IN CMTE 10/20/08** AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO INCENTIVE AGMTS W/SHERI'S SWEETS, INC. FOR GROWTH INITIATIVE PROGRAM; EMERGENCY (C&ED)
- 2<sup>ND</sup> RDG 9. **RETAINED IN CMTE 10/20/08** AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/STK COMM FOUNDATION FOR GRANT NOT TO EXCEED \$50,000.00; EMERGENCY (C&ED)
- 2<sup>ND</sup> RDG 10. **RETAINED IN CMTE 10/20/08** AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/MENTORING NETWORK OF STK CNTY FOR GRANT NOT TO EXCEED \$50,000.00; EMERGENCY (C&ED)
- 2<sup>ND</sup> RDG 11. **RETAINED IN CMTE 10/20/08** 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 (C&ED)
- 154/200812. **RETAINED IN CMTE 10/20/08** ESTABLISH FAIR MKT VALUE OF EASEMENTS IN REAL PROP; AUTHORIZE SERV DIR TO NEGOTIATE & ACQUIRE EASEMENTS; EMERGENCY (4020 FAIRCREST SW - ELAINE IRWIN) (C&ED & E&PU)

**RETAINED**

- IN CMTE** 13. AMENDING CHAPTER 1361, RESIDENTIAL OCCUPANCY STANDARDS, OF TITLE SEVEN - HOUSING STANDARDS, OF BLDG CODE OF CODIFIED ORDINANCES; EMERGENCY (EXTERNAL WOOD BURNING APPLIANCE) (JUD)
- 2<sup>ND</sup> RDG 14. AUTHORIZE MAYOR TO FILE W/HUD A 2009-2013 CONSOLIDATED PLAN FOR CDBG PROG, HOME & ESG; RATIFYING SUBMISSION & FILING OF SAID PLAN; AUTHORIZE MAYOR TO EXECUTE GRANT AGMTS W/HUD & TO ACCEPT FUNDING FOR CONSOLIDATED 1 YR ACTION PLAN FOR FISCAL YR 2009 FOR THREE PROGS; EMERGENCY (C&ED)
- 155/200815. RESOLUTION APPROVING STATEMENT OF SVCS FOR CANTON AUTO ANNEXATION AREA; EMERGENCY (ANNEX)

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

- 156/200816. AMEND O#55/77, ZONING; EMERGENCY (City request - Ward 6) **PUB HRG: 10/27/08 @ 7:30PM**
- 157/200817. RESOLUTION ACCEPTING AMTS & RATES AS DETERMINED BY BUDGET COMM & AUTHORIZE NECESSARY TAX LEVIES & CERTIFY THEM TO CNTY AUDITOR

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, NOVEMBER 3, 2008 in Council Caucus @ 6:00 P.M.**

- 1) Community & Economic Development Committee
- 2) Finance Committee
- 3) Judiciary Committee
- 4) Personnel Committee
- 5) Public Safety & Thoroughfares Committee

**PUBLIC SPEAKS:** Paul Messenger re: what can be done to stop a sandwich vendor from running a portable generator @ 1131 Wertz NW during the day. States that it is loud and annoying. He has spoken to the man and the proper permits are in order. Patricia Kirk re: Kresge Lot - Adopt-a-Lot contract signed mostly by people working in the surrounding buildings that do not want a building placed on that lot - all prefer the lot as a pleasant area downtown to relax. Frendrich Clark re: Representative of the Neighborhood Assoc for Georgeview Estates thanking the Mayor and Carmen West for all of their help and hard work in the area but questions about an unfinished house and also some illegal dumping and hunting that is being done on that property. Commended Chris Smith for a great job as Council Member. Darryl Austin re: A shooting at the Compton Center that damaged the building, disparity to all for the tragedy because the carousel has stopped today. Spoke again to the gentleman at STARTA and found out that they must contract out another company just to move two bus stops away from the school to prevent more problems and issues with the students.

**MISCELLANEOUS BUSINESS:** Council-at-Large Don Casar questioning Mayor about the new angled parking areas on most of the downtown streets and how they are very inconvenient to get in and out of. He feels that like all parking spaces you should simply back in and pull out which is not the current design. Requested media to do a survey of the people and get there feelings and thoughts on the new parking set up. Mayor Healy responds that Dan Moeglin at the Engineers' Office created the design and it was to be similar to parallel parking and keeping with the flow of traffic. Member Cirelli re: can a city employee purchase a home through SCOG? Law Director Martuccio stated that you should not be penalized as a city employee but that more information could be found on the website. Member West re: a bad traffic accident at 12<sup>th</sup> & McKinley that was a hit and run now is very concerned about the traffic signal ordinance. Law Director Martuccio replied that Safety Director Nesbitt was working on the right light ordinance and that they were working with all of the necessary departments to determine just where these lights would be located and what would be the best placements for them. Member Cirelli wanted to let members of Council know that in Toledo, OH they did not receive the type of revenue that was expected from installing these camera lights and it was much lower than anticipated. Council-at-Large Smuckler asking Law Director Martuccio about the current locked in prices for natural gas within the city. Law Director Martuccio providing the ups and downs to locked in prices and said that right now we are in a lock until March 2010 at the rate of \$11.75 MCF and that there are some cheaper prices out there now that the economy is suffering and the price per barrel has come down so drastically but that is not to say it will remain down and that there can be penalties and other fees from dealing with some of the companies that are providing the reduced prices. He cautions that if constituents are calling and voicing concerns over the pricing that they should be

instructed to ask the appropriate questions of these companies and read all of the fine print on the advertising to verify that they are indeed getting a better deal because once you leave this plan, you normally cannot get back in to the program. Member Cirelli asked that they see if there could be a discounted rate for seniors. Member Carbenia would like to thank the Canton Repository for their assistance in getting the McKinley vs. Massillon football game shown on television since it was not scheduled to be seen this year.

**ADJOURNMENT:** 8:24 PM

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, NOVEMBER 3, 2008 @ 7:30 PM**