

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

CANTON CITY COUNCIL

JANUARY 26, 2009

**ROLL CALL:** Eleven Council Members Present, One Absent (Member Kraus & President Schulman Absent)

**INVOCATION:** Chris Smith, Ward 4 Council Member

**PLEDGE OF ALLEGIANCE:** Led by President Pro Tem Don Casar

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add RE#10 and 2<sup>nd</sup> Rdg O#7, O#8, O#9 & O#11; O#10 Retained in Committee; RE#9 Postponed until 2/9/09)

**PUBLIC HEARINGS:**

7:30 P.M. AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE ESLICH ANNEXATION AREA CONTAINING APPROXIMATELY 7.590 ACRES; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS I-1 (LIGHT INDUSTRIAL); AND DECLARING THE SAME TO BE AN EMERGENCY (PLANNING COMMISSION RECOMMENDED APPROVAL) **O#9/2009**

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

**INFORMAL RESOLUTIONS:**

ASSISTANT MAJORITY LEADER JOE CARBENIA: EXCUSING MEMBERS. (MEMBER KRAUS & PRESIDENT SCHULMAN ABSENT)

9. COUNCIL OF THE WHOLE: OPPOSING ANY CHANGE TO RULE IV EXAMINATIONS, SECTION 13,D,3 REGARDING OFFERING ADDT'L TESTING POINTS FOR A COLLEGE DEGREE. - POSTPONED UNTIL 2/9/09

10. COUNCIL OF THE WHOLE: SUPPORTING JOINT EFFORT W/STARK COUNTY COMMISSIONERS' IN THE EXTENSION OF ROUTE 30. - ADOPTED

**COMMUNICATIONS:**

32. CTC OF STARK CNTY: HOPING THAT CHANNEL 15 ON TIME WARNER CABLE CAN REMAIN COMMUNITY ACCESS. - RECEIVED & FILED

33. CIRELLI, M, CNCL-AT-LG: REQ CDBG FUNDS BE USED TO MATCH FEDERAL FIRE PREVENTION GRANT REC'D FOR PURCHASE OF TAMPER PROOF SMOKE ALARMS W/TEN YEAR LIFE SPAN. - RECEIVED & FILED

34. CHIEF OF POLICE MCKIMM: 2008 RPT FOR LAW ENFORCEMENT TRUST FUND & EDUCATION FUND. - RECEIVED & FILED

35. CURTIS, S & T, APPLICANTS: REQ ZONE CHANGE @ 351 CORNELIA NE FR: R-1 (SINGLE FAMILY) TO: PR-4 (PLANNED RESIDENTIAL) TO PROVIDE TYPE A CHILDCARE CENTER. - PLANNING COMMISSION

36. DIRECTOR OF DEVELOPMENT TORRES: AMEND O#174/2008 REGARDING LEASE AGMT W/LOUIS SHAHEEN DBA MIDTOWN CAFÉ, CORRECTING THE PROPOSED RENT FR: \$600.00/MONTH TO \$800.00/MONTH. - COMMUNITY & ECONOMIC DEVELOPMENT & JUDICIARY COMMITTEES

37. DIRECTOR OF DEVELOPMENT TORRES: REQ PAYMENT OF MORAL OB IN AMT NOT TO EXCEED \$85.00 TO CLEVELAND SECTION OPC FOR REGISTRATION FOR 20<sup>TH</sup> ANNUAL PLANNING & ZONING WORKSHOP. - FINANCE COMMITTEE

38. LAW DIRECTOR MARTUCCIO: AUTHORIZE THE RATIFICATION OF ENTIRE PROF SVCS CONTRACT W/ATTY ROSALIND K. ALLEN IN AMT NOT TO EXCEED \$20,000.00 FOR CANADIAN MATTERS REGARDING ENHANCING RADIO COMMUNICATIONS INTER-CITY AND INTRA-CNTY & ANY AMT BILLED IN EXCESS OF \$15,000.00 BE PAID AS MORAL OB. - FINANCE COMMITTEE

39. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF D2 D2X D3 D3A LIQ PERMIT FR: ROBERT BURNETT DBA COTTON CLUB TO: BOSS LADY LLC DBA 2360 MAHONING RD NE. - RECEIVED & FILED

40. MAYOR HEALY: REQ APPROVAL OF RE-APPT OF TERRY THOMAS TO ARCHITECTURAL REVIEW BD COMMENCING 1/1/09 - 12/31/12. - PERSONNEL COMMITTEE

41. PERSONNEL COMMITTEE: AMEND ORDINANCE RE: APPOINTMENTS TO FAIR HSNG BD. - PERSONNEL & JUDICIARY COMMITTEES

42. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED CANTON AUTO ANNEXATION; ASSIGNING TO WARD 6; CLASSIFYING AS B-4 (SPECIAL BUSINESS DISTRICT). - ANNEXATION COMMITTEE

43. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED VACATION OF ENGLE PL SW BETWEEN BEDFORD AVE SW & MOSLEY CT SW. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

44. SAFETY DIRECTOR NESBITT: RPT OF INMATES INCARCERATED FOR 2008. - RECEIVED & FILED

**COMMUNICATIONS CONTINUED:**

45. SERVICE DIRECTOR BERNABEI: AUTHORIZE MAYOR &/OR SERV DIR TO MAKE APPLICATION, EXECUTE GRANT AGMTS & ACCEPT FUNDS FOR GRANT PROGRAMS FR: THE OH DEPT OF NATURAL RESOURCES. - FINANCE COMMITTEE
46. SMUCKLER, W, ANNEXATION CHAIR: REQ LEGISLATION FOR JOINT ANNEXATION AGMT W/JACKSON TWP. - ANNEXATION COMMITTEE
47. SMUCKLER, W, ANNEXATION CHAIR: REQ LEGISLATION FOR DIANO ANNEXATION. - ANNEXATION COMMITTEE
48. WALKER, C, APPLICANT: REQ ZONE CHANGE @ 1460 SHRIVER AVE NE FR: R-1A (FAMILY RESIDENTIAL) TO: PR-4 (PLANNED RESIDENTIAL) TO PROVIDE LIVING QUARTERS FOR NEEDY AND DISPLACED COMMUNITY PEOPLE. - PLANNING COMMISSION
49. WALKER, C, APPLICANT: REQ ZONE CHANGE @ 1521 15<sup>TH</sup> ST NE FR: R-1A (FAMILY RESIDENTIAL) TO PR-4 (PLANNED RESIDENTIAL) TO PROVIDE LIVING QUARTERS FOR NEEDY & DISPLACED COMMUNITY PEOPLE. - PLANNING COMMISSION
50. WEST, T, WARD 2 CNCLMN: REQ TO REVISIT PARKING METER RATE INCREASES. - RECEIVED & FILED

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

- 1<sup>ST</sup> RDG 1. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/TRINITY GOSPEL TEMPLE TO PROVIDE GRANT IN AMT NOT TO EXCEED \$50,000.00; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 2. AMEND EXHIBIT A TO O#164/2001, AS AMENDED, CLASSIFICATION PLAN & SALARIES FOR ALL MNGMT & NON-BARG UNIT EMP; EMERGENCY (LAW DEPT)  
Referred to Judiciary & Personnel Committees
- 1<sup>ST</sup> RDG 3. AUTHORIZE SAF DIR TO ENTER INTO CONTRACT W/TAYLOR CHEVROLET FOR PURCHASE OF 12 IMPALA SEDANS FOR POLICE DEPT IN AMT NOT TO EXCEED \$292,692.00 & TO PURCHASE ADDT'L SAF ACCESSORIES &/OR EQUIPMENT FOR THESE VEHICLES IN AMT NOT TO EXCEED \$58,000.00; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 4. AUTHORIZE SERV DIR TO ENTER INTO LEASE AGMT W/GREATER CANTON AMATEUR SPORTS HALL OF FAME ASSOC FOR LEASE OF PROP @ 1414 MARKET AVE N; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/CANTON JOINT RECREATIONAL DIST FOR FIELD MAINTENANCE @ THURMAN MUNSON MEMORIAL STADIUM; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 6. AUTHORIZE MAYOR &/OR SERV DIR TO MAKE APPLICATION FOR, EXECUTE GRANT AGMT & ACCEPT & DISTRIBUTE FUNDS FOR A GRANT FROM INTERNATIONAL CITY/CNTY MANAGEMENT ASSOC; EMERGENCY  
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#7, O#8, O#9, & O#11; O#10 RETAINED IN COMMITTEE)**

- 2<sup>ND</sup> RDG 7. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/HYLANT ADMINISTRATIVE SVCS, LLC IN AMT NOT TO EXCEED \$134,022.00 FOR GEN LIABILITY, AUTO LIABILITY, PUBLIC OFFICIALS LIABILITY, LAW ENFORCEMENT LIABILITY, EMPLOYER'S LIABILITY, & EMPLOYEE BENEFITS LIABILITY INSUR; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 8. AUTHORIZE SAF DIR TO ENTER INTO LEASE AGMT W/VARIOUS ENTITIES FOR UTILIZING CITY OWNED PARKING SPACES; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 9. AUTHORIZE SERV & SAF DIRS TO ADVERTISE, REC BIDS, & ENTER INTO CONTRACT FOR SUPPLY ITEMS, MATERIALS, & PROF SVCS FOR 2009; AUTHORIZE ALTERNATIVELY PURCHASE OF SAID ITEMS PURSUANT TO STATE COOP PURCHASING AGMT &/OR ODOT PURCHASING AGMT; EMERGENCY (FIN)

**RETAINED**

- IN CMTE** 10. AMEND O#193/2008 BY MAKING \$7,200,000.00 SUPP APPROP; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 11. AUTHORIZE PUB SERV DIR TO ENTER PROF SERV CONTRACT W/CT CONSULTANTS, INC. FOR PLANNING STUDY FOR PHOSPHORUS REMOVAL & MISC IMPRV AT WATER RECLAMATION FAC; EMERGENCY (FIN)

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

- 9/2009** 12. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS ESLICH ANNEXATION AREA CONTAINING APPROX 7.590 ACRES; ASSIGNING TO WARD 6; ZONING AS I-1 (LIGHT INDUSTRIAL); EMERGENCY  
**PUB HRG: 1/26/09 @ 7:30 P.M.**

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, FEBRUARY 2, 2009 in Council Caucus @ 6:30 P.M.**

- 1) Finance Committee
- 2) Judiciary Committee
- 3) Personnel Committee

**PUBLIC SPEAKS:** Deborah Watkins re: Asking what the City plans to do about the Postal Service moving branches to Akron; Patricia Kirk re: Read letter from Rev. Timothy Hughes regarding closing Martin Luther Lutheran Church; Daniel Fonte re: Opposed to City using cameras because he believes that they are a violation of Civil Rights. Also feels that the parking meter increase is wrong and thinks that the angle parking is a terrible idea.

**MISCELLANEOUS BUSINESS:** Member Cirelli re: Thanking Chief Steve Rich for advising her that he will be applying for a grant for the smoke detectors that relate to Communication 33; Member Carbenia re: Stating that Council passed a Resolution asking not to move post office; Member West re: Thanking people from Ward 2 Neighborhood Associations for coming to Council; Mayor Healy re: Advising that he has been in direct contact with Congressman Boccieri and his staff regarding the postal service. Also advising Mr. Fonte of the four upcoming informational public meetings regarding the cameras and inviting him to come with any questions or concerns.

**ADJOURNMENT:** 8:11 P.M.

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, FEBRUARY 2, 2009 @ 7:30 PM**