

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

CANTON CITY COUNCIL

FEBRUARY 2, 2009

**ROLL CALL:** Eleven Present, Member Casar absent

**INVOCATION:** Terry Prater, Ward 5 Council Member

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

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to 1<sup>ST</sup> Rdg O#6 and 2<sup>nd</sup> Rdg O#8, O#9, O#12, O#13, & O#14; O#10 and O#11 Retained in Cmte; O#6 Adopted on 1<sup>ST</sup> Rdg)

**PUBLIC HEARINGS:** (None)

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

**INFORMAL RESOLUTIONS:**

- ASSISTANT MAJORITY LEADER JOE CARBENIA: EXCUSING MEMBERS. (MEMBER CASAR ABSENT)
11. PERSONNEL COMMITTEE: REQ RE-APPT OF TERRY W. THOMAS TO ARCHITECTURAL REVIEW BOARD FROM 1/1/09 - 12/31/12. - ADOPTED
12. SMUCKLER, B, CNL-AT-LRG: REQ TEMPORARY USAGE OF COUNCIL CAUCUS OR CHAMBER. - ADOPTED

**COMMUNICATIONS:**

51. AUDITOR MALLONN (CITY): CERT OF TOTAL AMT FROM ALL SOURCES. - RECEIVED & FILED
52. CANTON JOINT REC DISTRICT: 2008 ANNUAL REPORT. - RECEIVED & FILED
53. CHIEF MCKIMM: 2008 ANNUAL TRUST FUND REPORT. - RECEIVED & FILED
54. CLERK OF COUNCIL TIMBERLAKE: REQ REPLENISHMENT OF PETTY CASH FOR COUNCIL OFFICE. - FINANCE COMMITTEE
55. FINANCE CHAIRMAN HAWK: REQ 2009 OPERATING BUDGET BY 3/9/09. - RECEIVED & FILED
56. LAW DIRECTOR MARTUCCIO: REQ APPROVAL OF IRWIN PROP EASEMENT REAPPRAISED FAIR MKT VALUES OF \$5200.00 FOR PERPETUAL EASEMENT & \$300.00 FOR TEMP CONSTRUCTION EASEMENT; AUTHORIZE SERV DIR TO NEGOTIATE & PURCHASE PROPOSED PERPETUAL & TEMP EASEMENTS FROM OWNER IN AMT NOT TO EXCEED ESTABLISHED FAIR MKT VALUES; OR IN THE ALTERNATIVE, AUTHORIZE TO PREPARE NECESSARY SUBSEQUENT LEGISLATION. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
57. LIQUOR CONTROL DIV (OHIO): REQ TRANSFER D5 D6 LIQ PERMIT FROM PLW 2006 LLC TO MIMI HMEIDAN DBA HOB NOB TAVERN @ 1604 HARRISBURG RD NE 1<sup>ST</sup> FL. - RECEIVED & FILED
58. LIQUOR CONTROL DIV (OHIO): NEW PERMIT HEARING FOR CLUB 330 LLC @ 1775 CLEVELAND AVE SW ON 2/25/09. - RECEIVED & FILED
59. MAYOR WILLIAM HEALY: AUTHORIZE MAYOR TO PAY MORAL OB TO COREY MINOR-SMITH FOR MILEAGE EXP IN THE AMT OF \$82.49. - FINANCE COMMITTEE
60. SAFETY DIRECTOR NESBITT: SCATS DETERMINE WHICH 2008 FED TRANSPORTATION GRANT APPS WILL BE FUNDED FOR TOTAL OF \$12,116,919.00 FOR RECONSTRUCTION & STREETScape PROJ. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
61. RAYNER SR., EDWARD H., APPLICANT: REQ ZONE CHG @ 1372 MARKET AVE S FROM B-3 TO PB-4. - PLANNING COMMISSION
62. SLIMAN, SAM AGENT FOR PETITIONER: ANNEXATION PETITION DOCUMENTS FOR AREA TO BE KNOWN AS "THE CENTRAL ALLIED ANNEXATION AREA". - RECEIVED & FILED
63. STREAMO, J., APPLICANT: REQ ALLEY VACATION BETWEEN LOTS 36960 - 36962 ON WEST & 36959 ON EAST ON 31<sup>ST</sup> ST NW (DUMONT'S SEED CO). - PLANNING COMMISSION
64. STREAMO, J., APPLICANT: REQ ALLEY VACATION BETWEEN LOTS 36957 & 36954 ON NORTH & 36948 ON SOUTH ON FRAZER AVE NW (DUMONT'S SEED CO). - PLANNING COMMISSION

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

- 1<sup>ST</sup> RDG 1. AMEND O#174/2008, MIDTOWN CAFÉ LEASE; EMERGENCY  
Referred to Community & Economic Development and Judiciary Committees

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

- 1<sup>ST</sup> RDG 2. AUTHORIZE AUDITOR TO PAY MORAL OB NOT TO EXCEED \$85.00 TO CLEVELAND SECTION OPC; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 3. RATIFY PROF SVCS CONTRACT W/HOLLAND & KNIGHT; AUTHORIZE AMT IN EXCESS \$15,000.00 PAID AS MORAL OB; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 4. AMEND SECTION 515.05, FAIR HSING COMM AS CITY RESIDENTS  
Referred to Personnel & Judiciary Committees
- 1<sup>ST</sup> RDG 5. AUTHORIZE MAYOR &/OR SERV DIR TO MAKE APPLICATION, EXECUTE GRANT AGRMT, & ACCEPT FUNDS FOR VARIOUS GRANT PRGS FROM OHIO DEPT OF NATURAL RESOURCES; EMERGENCY  
Referred to Finance Committee

***\*(COUNCIL RECESSED @ 7:48 PM FOR ANNEXATION CMTE TO DISCUSS THE ADOPTION OF O#6; RECONVENED @ 7:49 PM)***

- 10/2009 6. RESOLUTION APPRV STATEMENT OF SVCS TO PROP OWNER IN R M INVESTMENTS/METRO RTA RAILROAD ANNEXATION AREA; EMERGENCY  
Referred to Annexation Committee
- 1<sup>ST</sup> RDG 7. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS DIANO ANNEX APPROX 51.228 ACRES; ZONING WARD 6 SAID TERR AS I-1(LIGHT INDUSTRIAL); EMERGENCY  
Referred to Annexation Committee **PUB HRG 2/23/09 @ 7:30 PM**

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

***(SUSPENDED RULE 22A TO ADD O#8, O#9, O#12, O#13 - O#14; O#10 & O#11 Retained in Cmte)***

- 2<sup>ND</sup> RDG 8. **RETAINED IN CMTE 1/26/09** AMEND O#193/2008 BY MAKING \$7,200,000.00 SUPP APPROP; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 9. 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 (C&ED&FIN)
- Retained in Cmte**  
2<sup>ND</sup> RDG 10. AMEND EXHIBIT A TO O#164/2001, AS AMENDED, CLASSIFICATION PLAN & SALARIES FOR ALL MNGMT & NON-BARG UNIT EMP; EMERGENCY (LAW DEPT) (FIN&PER)
- Retained in Cmte**  
2<sup>ND</sup> RDG 11. 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 (PPCI&FIN)
- 2<sup>ND</sup> RDG 12. 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 (FIN)
- 2<sup>ND</sup> RDG 13. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/CANTON JOINT RECREATIONAL DIST FOR FIELD MAINTENANCE @ THURMAN MUNSON MEMORIAL STADIUM; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 14. 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 (FIN)

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

- 11/2009 15. 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
- 12/2009 16. AUTHORIZE SAF DIR TO ENTER INTO LEASE AGMT W/VARIOUS ENTITIES FOR UTILIZING CITY OWNED PARKING SPACES; EMERGENCY
- 13/2009 17. 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
- 14/2009 18. 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

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, FEBRUARY 9, 2009 in Council Caucus @ 6:15 P.M.**

- 1) Finance Committee
- 2) Annexation Committee
- 3) Community & Economic Development Committee
- 4) Personnel Committee
- 5) Judiciary Committee

**PUBLIC SPEAKS:** (None)

**MISCELLANEOUS BUSINESS:** Member Dougherty re: fire hydrants being covered with snow and ice from the recent plowing. He had spoke with the Safety Director about Neighborhood organizations getting some volunteers to help clear around these areas to assist with the great job the Fire Dept does but how much time it would save in an emergency situation if the hydrants were exposed. Member Smith commended the Street Dept for a job well done with the snow removal. She did not get one call with problems in her Ward but she does have concerns with the Cherry Street bridge because it never gets plowed and many people then walk in the street to cross over. Member West expressed concerned about the parking meters and the snow surrounding the meters so that patrons can not get up to the meter from the plowing. He mentioned the meters themselves freezing up and not accepting money and how is that handled when the snow is plow onto the sidewalks. Service Director Price stated that the Street Dept is now attempting to clear the sidewalks from some of the piles since the roads are now in pretty good shape. Also wanting to thank the Dept Heads and Administration for a warm welcome into a week of many challenges with the weather. He knows there are great people working within the City and he is looking forward to meeting with each Member of Council to get a feel of their concerns and expectations. Member Kraus informing all that most of the time the sidewalks piles are cleared during the midnight shift by the Street Dept and that shift no longer exists with the cut backs in staff. He did say that the afternoon shift may not be able to keep up but if Director Price and Kevin Monroe stay in contact, he is sure they will have a solution. Member Carbenia stating the it is Groundhog Day and the shadow was seen. He also shared with us that it was his 46<sup>th</sup> wedding anniversary. Member Hawk mentioning that Mrs. Carbenia deserves Sainthood. President Schulman welcoming Service Director Price and reminding him that he has big shoes to fill. He told him and all members of the public that the Council will be here for them and will need to work together with this Administration in these tough times that are being faced by all.

**ADJOURNMENT:** 8:07 PM