

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

MARCH 16, 2009

ROLL CALL: All Council Members Present

INVOCATION: Bill Smuckler, Council-at-Large

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#8 - O#14; O#10 & O#14 Adopted on 2nd Rdg)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

- MAJORITY LEADER DON CASAR: EXCUSING MEMBERS. (Not Necessary)
19. PERSONNEL COMMITTEE: REQ CONFIRMATION OF REAPPT OF MICHAEL MCELFRISH TO CANTON CONSTRUCTION BD COMMENCING 3/1/09 - 2/28/12. - ADOPTED
20. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF ERMA SMITH TO INCOME TAX REVIEW BD. - ADOPTED

COMMUNICATIONS:

134. AUDITOR MALLONN (CITY): COMPARATIVE RPTS OF CASH RECEIPTS FILED AS OF 2/28/09. - RECEIVED & FILED
135. AUDITOR MALLONN (CITY): CERT OF TOTAL AMT FROM ALL SOURCES FOR 2009. - RECEIVED & FILED
136. CARBENIA, J., C&ED CHAIRMAN: ADVISING THAT C#80 FR: 2/23/09 AGENDA IS BEING SENT BACK TO DIRECTOR OF DEV TORRES. - RECEIVED & FILED
137. COURT ADMINISTRATOR KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT W/STATE OF OHIO, DEPT OF REHAB & CORRECTION FOR RECEIPT OF \$81,465.00 FY 2010 COMMUNITY CORRECTIONS ACT GRANT FOR PERIOD COMMENCING 7/1/09 - 6/30/10. - FINANCE COMMITTEE
138. LAW DIRECTOR MARTUCCIO: AUTHORIZE PREPARATION OF NECESSARY LEGISLATION ON BEHALF OF ADMIN FOR RENEWAL OF SID OPERATING ASSESSMENT. - JUDICIARY COMMITTEE
139. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HRG RE: RENEWAL OF D-5-6 LIQ PERMIT ON 4/6/09 @ 10:30 AM FOR PLW 2006 LLC DBA HOB NOB TAVERN @ 1604 HARRISBURG RD NE, 1ST FLOOR & PATIO. - RECEIVED & FILED
140. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HRG RE: TRANSFER OF D-5-6 LIQ PERMIT ON 4/6/09 @ 10:30 AM FOR MIMI HMEIDAN DBA HOB NOB TAVERN @ 1ST FLOOR & PATIO, 1604 HARRISBURG RD NE. - RECEIVED & FILED
141. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HRG RE: RENEWAL OF C-1 LIQ PERMIT ON 4/6/09 @ 11:30 AM FOR ROBERT E. SCHLUNEKER, SR DBA MAGGIORE'S DRIVE THRU II @ 2057-2059 EAST TUSCARAWAS STREET. - RECEIVED & FILED
142. SAFETY DIRECTOR NESBITT: REQ TO AMEND O#97/2007 TO NOW READ "IN AMT NOT TO EXCEED \$156,000.00" TO REFLECT REVISED PROPOSAL FOR PROF SVCS CONTRACT W/MOTTER & MEADOWS ARCHITECTS FOR ARCHITECTURAL & ENG SVCS FOR A NEW NO. 4 FIRE STATION; AUTHORIZE SAF DIR TO ADV, REC BIDS & ENTER INTO CONTRACT &/OR PROJ LABOR AGMT(S) FOR CONSTRUCTION OF STATION. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
143. SERVICE DIRECTOR PRICE: REQ FROM STATE THAT CITY CONSENT TO BEGIN CONSTRUCTION OF A RE-DECKING PROJ @ DUEBER AVE & RE-DECKING & PAINTING PROJ UNDER CLEV AVE ALONG I-77. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
144. SERVICE DIRECTOR PRICE: REQ FROM STATE THAT CITY CONSENT TO COMPLETE THE REHAB OF TEN MAINLINE STRUCTURES & PAVING OF I-77 FR: THE STRUCTURE OVER NIMISHILLEN CREEK TO THE STRUCTURE OVER MARKET AVE, CLEVELAND AVE & 15TH ST. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
145. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO COOP AGMTS W/ODOT FOR CONSTRUCTION OF SEVERAL PROJS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & PUBLIC SAFETY & THOROUGHFARES COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE SERV DIR TO ENTER INTO A FIVE-YR CONTRACT W/AT&T TO PROVIDE CITY W/A 20MBPS HIGH-SPEED INTERNET CONNECTION; EMERGENCY
Referred to Finance Committee
- 1ST RDG 2. AUTHORIZE SERV DIR TO ACCEPT DONATIONS TO FUND PORTIONS OF CANTON CONNECTION FOR FISCAL YEAR 2009; AMEND O#193/2008, AS AMENDED, BY MAKING \$7,500.00 SUPP APPROP FR: UNAPP BAL OF 1001 GENERAL FUND TO: 1001 200501 GENERAL GOVT SUPPORT ADMIN - OTHER; EMERGENCY
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZE AUDITOR TO PAY ONE MORAL OB IN AMT NOT TO EXCEED \$5,000.00 & ONE MORAL OB IN AMT NOT TO EXCEED \$5,600.00 TO COTTRILL WRECKING CO; EMERGENCY (DEMOS OF 735 HIGH AVE & 1116 SHORB AVE NW)
Referred to Community & Economic Development Committee
- 1ST RDG 4. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO JOB CREATION TAX INCENTIVE & NET PROFITS INCENTIVE AGMTS W/PROFILE PLASTICS, INC; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 5. AMEND O#193/2008 TO APPROPRIATE ADDT'L MONEYS NEEDED FOR THE OPERATING EXPENSES OF THE CITY FOR THE REMAINDER OF FISCAL YR 2009; EMERGENCY
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$1,521.66 TO EATON CORP; EMERGENCY (CROMER TOWER)
Referred to Finance Committee
- 1ST RDG 7. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT TO RELOCATE A WATER MAIN AS PART OF THE MCDOWELL RTA BRIDGE RELOCATION PROJ; AMEND O#193/2008, AS AMENDED, BY MAKING \$40,000.00 SUPP APPROP FR: UNAPP BAL OF 5201 WATER DISTRIBUTION FUND TO: 5201 207022 WATER DISTRIBUTION - OTHER; EMERGENCY
Referred to Finance & Environmental & Public Utilities Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#8 - O#14; O# 10 & O#14 ADOPTED ON 2ND RDG)**

- 2ND RDG 8. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/GROUP WORKCAMP FOUNDATION TO PROVIDE GRANT IN AMT NOT EXCEED \$50,000.00; EMERGENCY (C&ED)
- 2ND RDG 9. AMEND O#17/89, AUTHORIZE MAYOR TO ENTER INTO AMENDED CONTRACT W/CCIC TO ADMINISTER ADDTL CDBG FUNDS IN AMT NOT TO EXCEED \$500,000.00; EMERGENCY (C&ED)
- 37/2009** 10. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO PROJECT LABOR AGRMT FOR CONSTRUCTION OF NEW FIRE STATION NO 4; EMERGENCY (C&ED & JUD)
- 2ND RDG 11. WITHDRAWING OBJECTION TO RENWL OF LIQ PERMIT @ WHISTLE STOP; EMERGENCY (I&PS)
- 2ND RDG 12. AUTHORIZE AUDITOR TO PAY MORAL OB NOT TO EXCEED \$14,950.00 TO OSBORN ENGINEERING CO; EMERGENCY (FIN)
- 2ND RDG 13. AMEND SECT 947.06 SEWER RATES; EMERGENCY (E&PU & FIN)
- 38/2009** 14. AUTHORIZE SERV DIR TO NEG & ENTER INTO COOP AGRMT W/J R COLEMAN COMM RENOVATION CORP FOR ENG & RELATED CONSTRUCTION SERV FOR MAHONING RD ECONOMIC DEV & STREETScape PROJ; AMEND O#193/2008, AS AMENDED, BY MAKING \$250,000.00 APPROP TRANSFER FR: 4506 201001 SERV DIR TO: 4506 202079 MAHONING RD CORRIDOR PROJECT, OTHER; EMERGENCY (PPCI)

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

- 39/2009** 15. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$7,350.30 TO BLACK, MCCUSKEY, SOUERS & ARBAUGH; EMERGENCY
- 40/2009** 16. AUTHORIZE SAF DIR TO MAKE APPLICATION FOR & ACCEPT A GRANT FR: DEPT OF JUSTICE TITLED "GANG PREVENTION COORDINATION & ASST PROG"; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**WEDNESDAY, MARCH 18, 2009 in Council Caucus @ 6:30 P.M.**

Finance Committee to meet regarding O#5 (Budget)

MONDAY, MARCH 23, 2009 in Council Caucus @ 6:15 P.M.

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 3) Environmental & Public Utilities Committee
- 4) Public Property Capital Improvement Committee

PUBLIC SPEAKS: Deborah Watkins re: Commending Council, President of Council, Mayor, Administration and constituents for supporting John Boccieri in his endeavor in Postal Investigation and hopes that everyone continues to support him; Trevor Sproul re: Explaining Stark County Family Court Work Connection Program and asking for help for program; Milton Bledson re: Expressing his opinion that since the Hob Nob has reopened it has been a better place for the neighborhood; Roger Zachary re: Asking what is being done with Sherrick Road; Patricia Kirk re: There to discuss jobs and lives in regards to building the new "Super Fire Station Training Center"; Jason McKinney Jr. re: Member of School Safety Patrol and expressing that in his opinion if there are cameras anywhere in Canton they may make people pause when they rush through a school zones; John Regula re: There to express concerns about the homeless shelters; Brian Hmidan re: Manages the Hob Nob which was recently purchased by his aunt and apologizes to any neighbors for past problems. Advises that they have hired additional security, restricted entry to any customers that have committed any sort of offenses and started searching patrons for weapons and drugs; John Stone re: Came to wake Canton up to a new idea of a global humanitarian group called Hearts Coming Together. Inviting everyone to an event called Bearth Day to do some cleaning and planting and a potluck dinner in Nimisilla Park on April 25, 2009.

MISCELLANEOUS BUSINESS: Member Smuckler re: Asking Service Director if the RFPs for Ordinance that was passed last week for the Northeast Water Field for Burgess and Niple were from 2002; Service Director Price re: Confirming that he believes that is correct; Member Smuckler re: Asking if the expenditure is being based on a 2002 RFP; Service Director Price re: Stating that is correct for the engineering costs; Member Smuckler re: Makes a motion to Reconsider O#7 from 3/9/09 Agenda (adopted as O#36/2009) and send it back to Committee; Council votes unanimously to Reconsider O#36/2009 and to refer same back to Committee; Member Carbenia re: Advising that he met with Brian Hmidan and thought something could be worked out but thereafter was advised by the Law Department, Vice and Safety Director that he should not agree. Advising Mr. Hmidan to go to the upcoming Liquor Control Hearing and tell his story; Member Smith re: Thanking Mr. Zachary for coming to Council and advising him that Sherrick Road is being worked on; Mayor Healy re: Talked to Council Member Smith and advising that Sherrick Road is on the list of the projects that the City is working on and is a priority along with Mahoning Road Corridor Project; Member West re: Wanted to bring forth the Informal Resolution that Council passed on October 30, 2006 in reference to a proposal for a nonviolence crime registry and would like it revisited; Member Griffin re: Inviting all Council Members and audience to Westminster Community Church on March 17, 2009 at 7:30 to listen to the changes that the Mayor is proposing to the RedFlex Ordinance; President Schulman re: Advising that he is disturbed about campaign contributions of \$125.00 Mayor Healy received from Joe Moore of Scottsdale, AZ, whose employer is RedFlex Traffic Systems and \$125.00 from Joe Rice who is a lobbyist for RedFlex. Asking Mayor if there was a proposal for the camera system and if he could explain to the public the relationship of the campaign donations that he received; Mayor Healy re: Advised that contributions were received as a result of a golf outing he had last summer. Also advised that there were three or four companies that were involved in the selection process for the camera system and Director Nesbitt was involved in reviewing and interviewing the companies and making a recommendation.

ADJOURNMENT: 8:45 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 23, 2009 @ 7:30 PM