

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

APRIL 20, 2009

ROLL CALL: All Council Members Present

INVOCATION: Terry Prater, Ward 5 Council Member

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#4 and 2nd Rdg O#7-O#8; O#4 Adopted on 1st Rdg)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

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

33. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF MARC FLORENTINO, MD TO CANTON CITY BD OF HEALTH RETRO 4/1/09 TO 3/31/14. - ADOPTED

COMMUNICATIONS:

185. AUDITOR MALLONN (CITY): CERT OF TOTAL AMT FROM ALL SOURCES FOR 2009. - RECEIVED & FILED

186. COMPLIANCE DIRECTOR MINOR SMITH: OFFICE OF COMPLIANCE & DEPT OF FAIR HOUSING & EQUAL EMPLOYMENT OPPORTUNITY 2008 ANNUAL REPORT. - RECEIVED & FILED

187. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF D5 LIQ PERMIT FR: PETER G PAPACOSTAS DBA PETES GRILL & PIZZA TO PETER G PAPACOSTAS DBA PETES GRILL & PIZZA @ 401 CHERRY AVE NE. - RECEIVED & FILED

188. MAYOR HEALY: ADVISING THAT HE WILL BE INTRODUCING AN ETHICS ORDINANCE FOR COUNCIL'S REVIEW & VOTE. - JUDICIARY COMMITTEE

189. SAFETY DIRECTOR NESBITT: DEMO LIST FOR SEVERAL UNSAFE & HAZARDOUS BLDGS IN VARIOUS WARDS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

190. SAFETY DIRECTOR NESBITT: AUTHORIZE SERV DIR TO CHANGE FEE STRUCTURE FOR BLDG CODE DEPT PERMITS. - JUDICIARY COMMITTEE

191. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO INCREASE RESIDENTIAL SANITATION RATE FROM \$14.39/MONTH TO \$17.84/MONTH. - ENVIRONMENTAL & PUBLIC UTILITIES & FINANCE COMMITTEES

192. SMUCKLER, B, CNCL-AT-LARGE & PRATER, T, PERSONNEL CHAIRMAN: REQ MGMT & NON-BARG POSITIONS, INCLUDING CLASSIFIED CIVIL SERVANTS POSITIONS BE PUT ON HIRING FREEZE & NO NEW POSITIONS BE CREATED. - PERSONNEL COMMITTEE

193. STARK COUNTY COMMISSIONERS: RECEIPT OF PERTINENT DOCUMENTS REGARDING CENTRAL ALLIED ANNEXATION. - PLANNING COMMISSION

194. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 3/31/09. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

1ST RDG 1. RES ACCEPTING TAX INCENTIVE REVIEW COUNCIL'S RECOMMENDATIONS REGARDING ENTERPRISE ZONE TAX ABATEMENT AGMTS; EMERGENCY
Referred to Community & Economic Development Committee

1ST RDG 2. _____ AUTHORIZE MAYOR &/OR SERV DIR TO SUBMIT PROPOSAL & ENTER INTO CONTRACT W/THE WORKFORCE INITIATIVE ASSOCIATION (WIA), TO PROVIDE FUNDING FOR YEAR-ROUND YOUTH WORKFORCE DEV SVCS; EMERGENCY
Referred to Community & Economic Development Committee

1ST RDG 3. _____ REPEALING CHAPTER 159, ANNEXATION, OF THE CODIFIED ORDINANCES (ANNEX BOARD)
Referred to Judiciary Committee

(COUNCIL RECESSED @ 7:38 P.M. FOR COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS THE ADOPTION OF O#4; RECONVENED @ 7:40 P.M.)

68/2009 4. DECLARING 25 BLDGS TO BE PUBLIC NUISANCES; AUTHORIZE SAF DIR TO ENTER INTO CONTRACT FOR DEMO OF SAID BLDG; AUTHORIZE CLERK OF COUNCIL TO CERTIFY COSTS OF DEMO TO STARK CTY AUDITOR; EMERGENCY
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING COMMITTEE CONTINUED:

1ST RDG 5. AMEND O#193/2008, AS AMENDED, BY MAKING \$1,500,000.00 SUPP APPROP FR: UNAPPROP BAL OF 5223 WATER INFRASTRUCTURE CAPITAL IMPROVEMENT FUND TO: 5223 207025 WATER INFRASTRUCTURE CAPITAL IMPROVEMENT - OTHER; EMERGENCY (UPGRADES TO NE WATER TREATMENT PLANT)
Referred to Public Property Capital Improvement & Finance Committees

1ST RDG 6. AUTHORIZE MAYOR TO SUBMIT/FILE W/US DEPT OF HSNB & URBAN DEV AN AMENDED CONSOLIDATED PLAN OR OTHER APPLICATIONS HUD DETERMINES, EXECUTE GRANT AGMTS W/HUD & ACCEPT CITY'S COMM DEV BLOCK GRANT, EMERGENCY SHELTER GRANT & HOMELESS PREV & RAPID RE-HOUSING PROG ALLOCATIONS FR: AMERICAN RECOVERY & REINVESTMENT ACT; AUTHORIZE AUDITOR TO ESTABLISH 2220 HOMELESS PREV FUND; AMEND SUPP APPROP O#193/2008; EMERGENCY
Referred to Community & Economic Development Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#7 - O#8)**

2ND RDG 7. AUTHORIZE AUDITOR TO PAY A MORAL OB IN AMT NOT TO EXCEED \$23,480.00 TO MOTTER & MEADOWS; EMERGENCY (FIN)

2ND RDG 8. AUTHORIZE SAF DIR TO ENTER INTO PROF SVCS CONTRACT W/PHILIP SEDLACKO FOR ANIMAL CONTROL SVCS; EMERGENCY (FIN)

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

69/2009 9. AMEND O#164/2001, AS AMENDED, THE CLASSIFICATION PLAN & SALARIES FOR ALL MGMT NON-BARG UNIT EMPLOYEES OF CITY; EMERGENCY (POLICE DEPT - RECORD ROOM SUPR)

70/2009 10. AMEND O#193/2008 BY MAKING SUPP APPROPS; EMERGENCY (25th St NE, STORM SEWER PROJ)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, APRIL 27, 2009 in Council Caucus @ 6:00 P.M.**

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

PUBLIC SPEAKS: Daniel Fonte re: Believes that the City should negotiate the gas aggregation rate for the City residents because he has contracted with another company that has a much cheaper MCF rate. Also thinks the letters should be sent to Time Warner Cable about their terrible customer service; Marcia Zawaky re: Trying to start a neighborhood association, with boundaries of 25th St NW to 30th St NW and Cleveland Avenue over to Harrison Avenue. And sharing her happiness about the upcoming demolitions. Also expressing concern about the demolition of the Fire Station at Cleveland Ave & 25th St; Phil Palombo re: Asking for support and representation for the summer swim program and requesting a meeting to discuss same; Patricia Kirk re: Introduced her neighborhood group and discussed the Kresge Lot; John Stone re: Announcing the Bearth Day event this Saturday in Nimisilla Park; Mary Knorzer re: Asking how she can join City Council. Also says that she feels that a lady she knows is being held captive in her home and would like that looked into. Lastly stating that she wants to start a company here in town; Veronica Callahan re: Introducing N.A.V.E. Also, reminding everyone about the awards ceremony awarding grants to the neighborhood groups. Also reminding everyone about the meet and greet of Elected Officials to be held at The Canton Negro Oldtimers Club on April 28th; Brenda Baylor re: Asking who she can contact regarding the disparity in the tax abatement for Georgeview Estates; Gerry Radcliff re: Wanting answers about the tax abatement for Georgeview Estates.

MISCELLANEOUS BUSINESS: Thomas West re: Thanking everyone that came out to clean up the Northeast section of town for CDBG week; Mary Cirelli re: Asking Law Director if there is a monopoly law (regarding Time Warner Cable); Law Director Martuccio re: Advising Member Cirelli that there were a number of Federal Laws designed to bust up trusts in the manufacturing sector. But technically Time Warner Cable doesn't have a monopoly because there are satellite services available and advising that the City is no longer under contract with Time Warner and the FCC regulates Time Warner Cable; Mary Cirelli re: Suggesting that everyone come forward and write a letter to Time Warner in totality with objections because she has the very same objections. Also advising that she is not with Vectron and she did get a better price. Asking if Citizens are locked in if they choose; Law Director Martuccio re: Advising that there is no penalty for leaving Vectron, however it is a fixed price that will take citizens through the winter. Also if citizens receive a solicitation he advises them to read the small print because there may be penalties for leaving that company; Member Cirelli re: Stating that when she brought the issue up about Stark County Parks, a lot of people raised their eyebrows, she knew that we had given them money in 1999, 2007 and 2008, we gave a total of \$195,000.00 approximately and concerned of why Canton was left out and none of the activities that were included in the Stark Parks, she just wanted to verify that. Also stating that she spoke to Mr. Adams from the Health Dept on Saturday and he apprised her that he did not know that the Capital 4501 funds were being used to fund these general revenue fund items and he got an explanation from Karen Alger. Asking Ms. Alger what other funding possibly of Capital Improvement Monies are going to fund General fund dollars; Finance Director Alger re: Advising that while doing the General Fund, they were trying to find avenues to reduce some of that cost that was funding to the General Fund and tried to give some of the cost to the Capital and that was one of the suggestions by the Auditor's Office that some of the Capital line item to the actual Capital Projects; Mary Cirelli re: Requesting that Ms. Alger to put a side note to all the Council Members as to what was funded by General Revenue Funds that are now being funded by Capital Improvement. Majority Leader Don Casar re: Advising that the audience gets three minutes to speak and that rule applies to Council Members as well and Ms. Cirelli exceeded her time; Mary Cirelli re: Discussing State Lotteries and the fact that some States that have no lotteries and stating that Ohio's Lottery has taken in \$2.1 billion. Stating that everyone was told that this was going to help the schools but we see no decrease in our property taxes; Butch Kraus re: Asking Service Director to find out from Stark Parks or our park system who maintains the walking path along 38th Street along the railroad tracks and the creek advising that some constituents were promised a fence which has not been put up and there is some debris in the creek that needs cleaned; Chris Smith re: Asking if there will be a program implemented this summer for the youth to swim and to have lessons; Service Director Price re: Advising Members Kraus and Smith that he

will find out and get back to both of them; Law Director Martuccio re: Advising Ms. Baylor that the Law Department will be updating the current Administration on previous discussions about what was going on with the Georgeview abatement and try to figure out where that is for your benefit. Advising Ms. Knorzer that the Board of Elections can tell someone how to run for City Council. Also announcing that Asst. Law Director, Kevin L'Hommedieu, ran his 2nd Boston Marathon today; Bill Smuckler re: Advising that he received a letter from the Mayor regarding Communication #192 requesting a meeting next week. Asking the Mayor if he hired another person on the 8th Floor; Mayor Healy re: Stating that yes, he moved one employee and brought someone in to replace his position to report to the Safety and Service Director as their main Administrator; President Schulman re: Thanking Mayor for his State of the City address. Requesting that the Mayor submit a copy of the Ethics Ordinance to Law Director Martuccio and also to Members of Councils and himself. Also recommends that his Ethics proposal includes any paid political consultants that anyone may hire.

ADJOURNMENT: 8:27 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, APRIL 27, 2009 @ 7:30 PM