

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

MAY 11, 2009

ROLL CALL: Eleven Present, Member Carbenia Absent

INVOCATION: Patrick Barton, Ward 7 Council Member

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Ruled 22A to add Communication #223; 1st Rdg O#4a; 2nd Rdg O#5 & O#6; O#4 and O#4a Adopted on 1st Rdg)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

- MAJORITY LEADER DON CASAR: EXCUSING MEMBERS (MEMBER CARBENIA)
34. CIRELLI, M., CNCL-AT-LRG: REQ US CONGRESS TO IMPLEMENT HOMEOWNERS & BANK PROTECTION ACT OF 2007. - ADOPTED
35. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF CHET WARREN TO STARK COUNTY REGIONAL TRANSIT AUTHORITY FR 4/1/09 - 3/31/12. - ADOPTED

COMMUNICATIONS:

205. AUDITOR MALLONN (CITY): MONTHLY RPT BY FUND 4/1/09 - 4/30/09. - RECEIVED & FILED
206. AUDITOR MALLONN (CITY): YEARLY RPT BY FUND 1/1/09 - 4/30/09. - RECEIVED & FILED
207. AUDITOR MALLONN (CITY): CERT OF TOTAL AMT FROM ALL SOURCES FOR 2009. - RECEIVED & FILED
208. COMMUNICATION DIRECTOR HERMAN: REQ AMEND CHAP 150, TO ENABLE THE SYSTEM PLANNING BOARD TO CREATE, MAINTAIN, & ENFORCE A CITY-WIDE INFORMATION TECHNOLOGY PURCHASING POLICY. - JUDICIARY & FINANCE COMMITTEES
209. COURT ADMIN KOCHERA: REQ SUPP APPROP & INTER FUND TRANSFER FOR MISC SUPPLIES PURSUANT TO COMM DEV GRANT FR: OH DEPT OF NATURAL RESOURCES FOR US BY COMM SERV PROG. - FINANCE & COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
210. DEVELOPMENT DIRECTOR TORRES: REQ TO ESTABLISH FAIR MKT VALUE OF PARCEL #02-01928 (SIXTH ST SW - LINDA WILLIAMS). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
211. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR TO SUBMIT APP W/US DEPT OF HUD, EXECUTE GRANT AGMTS, & ACCEPT \$250,000.00 IN HOME CHDO FUNDS; ENTER INTO CONTRACT W/FREED HOUSING CORP IN AMT NOT TO EXCEED \$500,000.00; AUTHORIZE AUDITOR TO ESTABLISH SEPARATE FUND FOR RECEIPT & DISTRIBUTION OF SAME. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
212. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE TRANSFER OF PROP FROM CCIC TO CITY OF CANTON (FORMER RIVERSIDE PARK ON WARNER RD NE). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
213. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/STARK CNTY BRD OF COMMISSIONERS FOR 39,770 PARCELS OF VISRE STREET LEVEL IMAGERY IN AMT NOT TO EXCEED \$39,770.00. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
214. HEALTH COMMISSIONER ADAMS: REQ APPROP FROM 2328 PUBLIC HEALTH INFRASTRUCTURE FOR 2009 TO 2328 PUBLIC HEALTH INFRASTRUCTURE FUND FOR \$5,085.02. - FINANCE COMMITTEE
215. LAW DIRECTOR MARTUCCIO: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO NON-DISTURBANCE & ESTOPPEL AGMT WITH/& BETWEEN OHIO CULTURAL FACILITIES COMMISSION & NATIONAL FOOTBALL MUSEUM INC. - FINANCE COMMITTEE
216. LIQUOR CONTROL DIVISION (OHIO): ADVISING THAT RENEWAL OF C1 LIQ PERMIT FOR ROBERT E SCHLUNEKER SR DBA MAGGIORE'S DRIVE THRU 11 @ 2057-2059 E TUSCARAWAS ST HAS BEEN DENIED FOR 2009-2010 APPLICATION YEAR. - RECEIVED & FILED
217. MAYOR WILLIAM HEALY: REQ RE-APPT OF JAMES REINHARD TO SARTA FOR 3 YR TERM FROM 4/1/09 - 3/31/12. - PERSONNEL COMMITTEE

COMMUNICATIONS CONTINUED:

218. SAFETY DIRECTOR NESBITT: REC OF MARCH 2009 RPT OF INMATES INCARCERATED PROVIDED BY STARK CTY SHERIFF TIMOTHY SWANSON. - RECEIVED & FILED
219. SAFETY DIRECTOR NESBITT: REQ SAF DIR TO ADVERTISE, REC BIDS, & ENTER INTO CONTRACT FOR REPLACEMENT OF THE K9 TRAINING BLDG THAT WAS DESTROYED BY FIRE; FUNDS EXIST IN 2760-102001-75803. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
220. SAFETY DIRECTOR NESBITT: NOTIFYING THAT CITY & FOP HAVE REACHED A 3 YR TENTATIVE AGMT. - FINANCE & PERSONNEL COMMITTEES
221. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS, & ENTER INTO CONSTRUCTION CONTRACT FOR 49TH & GARDENDALE NE STORM SEWER & BASIN PROJ, PHASE II, GP 1074; AUTHORIZE APPROP TRANSFERS & SUPP APPROP FOR SAME. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
222. SERVICE DIRECTOR PRICE: AUTHORIZE SER DIR TO ACCEPT APPROX 440 TONS OF ROCK SALT DONATION FROM THE MAGGIORES COMPANY. - FINANCE COMMITTEE
223. PLANNING COMMISSION: RECOMMEND APPROV OF ZONE CHG @ 2512 12TH ST NW FROM R-1a (SINGLE FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS) (WESTBROOK PARK UNITED METHODIST CHURCH). - JUDICIARY COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND APPROP O#193/2008, AS AMENDED, SUPP APPROP & APPROP TRANSFERS; EMERGENCY
Referred to Finance Committee
- 1ST RDG 2. AUTHORIZE SAF DIR TO ENTER INTO PROF SVC CONTRACT W/ANGELA CAVANAUGH TO SERVE AS CITY'S CHIEF BLDG OFFICIAL IN AMT NOT TO EXCEED \$65,500.00; AMEND APPROP O#193/2008; EMERGENCY
Referred to Personnel & Finance Committees
- 1ST RDG 3. AUTHORIZE SERV DIR TO ENTER INTO CHANGE ORDER #1 W/CENTRAL-ALLIED ENTERPRISES, INC. IN AMT NOT TO EXCEED \$136,512.35 FOR ADDTL COSTS RELATED TO NE STORM SEWER, ROADWAY RECONSTRUCTION, & STORM WATER BASIN PROJ, GP 1083; EMERGENCY
Referred to Finance Committee

(COUNCIL RECESSED @ 7:40 P.M. FOR FINANCE AND PERSONNEL COMMITTEES TO DISCUSS THE ADOPTION OF O#4; RECONVENED @ 7:50 P.M.)

- 75/2009 4. APPROVING A 3 YR COLLECTIVE BARGAINING AGMT BETWEEN CITY OF CANTON & FOP; EMERGENCY
Referred to Finance & Personnel Committees

(COUNCIL RECESSED @ 7:53 P.M. FOR FINANCE COMMITTEE TO DISCUSS THE ADOPTION OF O#4a; RECONVENED @ 7:54 P.M.)

- 76/2009 4a. AUTHORIZE SERV DIR TO ACCEPT DONATION OF 440 TONS OF ROCK SALT FROM MAGGIORES COMPANY; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#5 & O#6)

- 2ND RDG 5. AUTHORIZE LAW DIR TO APPROP A PERMANENT EASEMENT & A TEMP CONSTRUCTION EASEMENT IN REAL PROP OUTSIDE THE CITY'S CORP LIMITS; EMERGENCY (4020 FAIRCREST ST SW - ELAINE IRWIN) (C&ED)
- 2ND RDG 6. AMEND CHAPTER 105, CONTRACTS, OF TITLE ONE - GENERAL PROVISIONS OF CODIFIED ORDINANCES OF THE CITY OF CANTON (PROJECT LABOR AGMTS) (C&ED&JUD)

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

- 77/2009 7. RES ACCEPTING TAX INCENTIVE REVIEW COUNCIL'S RECOMMENDATIONS REGARDING ENTERPRISE ZONE TAX ABATEMENT AGMTS; EMERGENCY
- 78/2009 8. 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

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

79/2009 9. _____ REPEALING CHAPTER 159, ANNEXATION, OF THE CODIFIED ORDINANCES (ANNEX BOARD)

80/2009 10. 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)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, MAY 18, 2009 in Council Caucus @ 6:30 P.M.

- 1) Finance Committee
- 2) Personnel Committee

PUBLIC SPEAKS: Bruce Tague giving a presentation of casino initiatives for Ohio to create 20,000 jobs in four cities. Patricia Kirk wanting to keep Canton a great city through education and informing of two free seminars open to the public "Green Space 101" and "Water Quality Benefits of Green Space". M.J. Albacete discussed the success of the Kimono exhibit at the Canton Museum of Art and the 56,000 visitors that attended. Canton is the envy of other cities and galleries in Ohio and these exhibits help keep Canton on the map. This many visitors generate revenue to the entire city by people using the hotels, restaurants, gas stations, etc. Robb Hankins letting people know that ArtsinStark has renovated 4 vacant buildings into galleries downtown and the new studios have transformed the downtown art district. They have given \$2,500,000.00 in grants raised totally from the private sector and want to continue to see Canton generate revenue from art.

MISCELLANEOUS BUSINESS: President Schulman stating that our city needs to be the first in our state to create an Arts Ordinance even if it is a modest one because of the revenue that is generated for the entire city. The arts are as important as any sports team and all sectors reap the benefits from these exhibits and galleries.

ADJOURNMENT: 8:15 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MAY 18, 2009 @ 7:30 PM