

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

MAY 18, 2009

ROLL CALL: All Council Members Present

INVOCATION: Butch Kraus, Ward 8 Council Member

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Ruled 22A to add 1st Rdg O#6, O#10 and 2nd Rdg O#11 - O#13; O#6 & O#10 Adopted on 1st Rdg; O#11 & O#12 Adopted on 2nd Rdg; O#12 & O#15 Adopted as Amended)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

- MAJORITY LEADER DON CASAR: EXCUSING MEMBERS. (Not Necessary)
36. CIRELLI, M, CNCL-AT-LARGE: REQ US CONGRESS TO IMPLEMENT THE AMERICAN CLEAN ENERGY & SECURITY ACT OF 2009. - ADOPTED
37. PERSONNEL COMMITTEE: REQ CONFIRMATION OF REAPPT OF JAMES REINHARD TO STARK AREA REGIONAL TRANSIT AUTHORITY FROM 4/1/09 UNTIL 3/31/12. - ADOPTED

COMMUNICATIONS:

224. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE DEPT OF DEV, IN COLLABORATION W/STARK CNTY REG PLANNING, TO ISSUE JOINT REQ FOR PROPOSAL, ACCEPT & EVALUATE PROPOSALS, SELECT, & ENTER INTO CONTRACT W/LOCAL AGENCIES QUALIFIED TO PROVIDE NECESSARY OVERSIGHT & SVCS REQ TO PERFORM & ACHIEVE THE GOALS OF THE PROG. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
225. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A CONTRACT W/HABITAT FOR HUMANITY OF GREATER CANTON TO PROVIDE GRANT UTILIZING NEIGHBORHOOD STABILIZATION PROG FUNDS IN AMT NOT TO EXCEED \$480,000 FOR DEV & CONSTRUCTION OF HSNB UNDER THE NEIGHBORHOOD STABILIZATION PROG. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
226. HEALTH BENEFITS ADMIN, MCBRIDE: APRIL 2009, MONTHLY COMPARATIVE RPT - INSURANCE CLAIMS. - RECEIVED & FILED
227. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF C1 C2 LIQ PERMIT FR: GIANT OHIO LLC DBA GIANT 447 TO: BATTERSHELL ENTERPRISES LLC DBA BP GASOLINE 447 @ 2211 W. TUSCARAWAS. - RECEIVED & FILED
228. LIQUOR CONTROL DIVISION (OHIO): ADVISING THAT HRG RE: LIQ PERMIT RENEWAL FOR PLW 2006 LLC DBA HOB NOB TAVERN @ 1604 HARRISBURG RD, NE, 1ST FLOOR & PATIO SCHEDULED FOR 6/9/09 @ 11:15 A.M. - RECEIVED & FILED
229. LIQUOR CONTROL DIVISION (OHIO): ADVISING THAT HRG RE: LIQUOR PERMIT TRANSFER FOR MIMI HMEIDAN DBA HOB NOB TAVERN, 1ST FLOOR & PATIO @ 1604 HARRISBURG RD, NE, SCHEDULED FOR 6/9/09 @ 11:15 A.M. - RECEIVED & FILED
230. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROP ZONE CHANGE OF LOTS 39534, 39355, PART OF 39657, 36959, 36960, 36961, 36962 & PORTIONS OF RECENTLY VACATED ALLEYS ALL TO NORTH OF 631 30TH ST NW FR: R-1a TO PB-3 (DUMONT'S). - JUDICIARY COMMITTEE
231. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED REPLAT OF PARTS OF OL 397 & 398 ON 13TH ST NE (2300 BLOCK) (OHIO ASSOC OF URBAN TRAINING). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
232. PLANNING COMMISSION: RECOMMENDS PLACING 7.23 ACRE TRACT KNOWN AS CENTRAL ALLIED ANNEXATION & FRONTS COLUMBUS RD NE IN THE 3100 BLOCK IN WARD 6; ZONING SAME AS I-1. - ANNEXATION COMMITTEE
233. PRATER, T., PERSONNEL CHAIR: AMEND BOARDS & COMMISSION ORDINANCE TO REFLECT RECENT CHANGES TO FAIR HSNB BD. - JUDICIARY COMMITTEE
234. SAFETY DIRECTOR NESBITT: ALLOW SAF DIR TO ASSESS FEES FOR USE OF CITY SAFETY FORCES DURING SPECIAL EVENTS ON PUB PROPERTY. - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

235. SERVICE DIRECTOR PRICE: SUBMITTING THE 2009 CITY OF CANTON SOLID WASTE MNGMT SYSTEM RATE STUDY PURSUANT TO SEC 975.08 OF CODIFIED ORDINANCES; ADVISING THAT SHOULD COUNCIL TAKE NO FURTHER ACTION, THE RATE PROPOSALS WILL TAKE AFFECT 45 DAYS FROM DATE OF SUBMISSION. - RECEIVED & FILED
236. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIRECTOR TO ENTER INTO COOP AGMT W/ODOT TO PAVE TUSCARAWAS ST. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
237. SERVICE DIRECTOR PRICE: REQ PERMISSION FOR ENG DEPT TO ENTER INTO COOP AGMT W/BOARD OF STARK CNTY COMMISSIONERS FOR REPLACEMENT OF MILL ST. BRIDGE IN AMT NOT TO EXCEED \$200,000.00 WHICH WILL BE COVERED BY MUNICIPAL RD FUND GRANT RECEIVED FR: COUNTY. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
238. TREASURER SCHIRACK: APRIL 2009 DEPOSITS AND PAY INS TO AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED
239. TREASURER SCHIRACK: APRIL 2009 PARKING METER REVENUE. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND CHAPTER 150, SYSTEMS PLANNING BD, OF CODIFIED ORDINANCES
Referred to Judiciary & Finance Committees
- 1ST RDG 2. AMEND APPROPRIATION O#193/2008, AS AMENDED, BY MAKING SUPP APPROPS, ADVANCE & ADVANCE REPAYMENT; EMERGENCY (COMMUNITY SERVICE)
Referred to Finance & Community & Economic Development Committees
- 1ST RDG 3. ESTABLISH FAIR MKT VALUE OF 1 PARCEL OF CITY-OWNED PROP; AUTHORIZE SALE & CONVEYANCE OF SAID PROP PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (PARCEL# 02-01928, SIXTH ST SW, LINDA WILLIAMS)
Referred to Community & Economic Development Committee
- 1ST RDG 4. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/STARK CTY BD OF COMMISSIONERS FOR VISRE STREET LEVEL IMAGERY SVCS; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 5. AMEND O#193/2008, AS AMENDED, BY MAKING \$5,085.02 SUPP APPROP TO: 2328 PUBLIC HEALTH INFRASTRUCTURE; EMERGENCY
Referred to Finance Committee

(COUNCIL RECESSED @ 7:46 P.M. FOR FINANCE COMMITTEE TO DISCUSS THE ADOPTION OF O#6; RECONVENED @ 7:48 P.M.)

- 81/2009 6. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO A NON-DISTURBANCE & ESTOPPEL AGMT W/& BETWEEN THE OHIO CULTURAL FACILITIES COMM & THE NAT'L FOOTBALL MUSEUM, INC. DBA PRO FOOTBALL HALL OF FAME; EMERGENCY
Referred to Finance Committee
- 1ST RDG 7. AUTHORIZE SAF DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR CONSTRUCTION OF A NEW K9 TRAINING BLDG; EMERGENCY
Referred to Public Property Capital Improvement & Finance Committees
- 1ST RDG 8. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR CONSTRUCTION OF 49TH & GARDENDALE NE STORM SEWER & BASIN PROJ, PHASE II, GP 1074; AMEND APPROP O#193/2008; EMERGENCY
Referred to Public Property Capital Improvement & Finance Committees
- 1ST RDG 9. AMEND O#55/77, AS AMENDED, KNOWN AS ZONING ORDINANCE; EMERGENCY (WESTBROOK CHURCH - 2521 12TH ST NW)
Referred to Judiciary Committee **PUB HRG: 6/22/09 @ 7:30 P.M.**

(COUNCIL RECESSED @ 7:52 P.M. FOR PUBLIC SAFETY & THOROUGHFARES COMMITTEE TO DISCUSS THE ADOPTION OF O#10; RECONVENED @ 7:54 P.M.)

- 82/2009 10. AUTHORIZE & CONSENT TO IMPROVEMENT OF 2.45 MILES OF SR 172 BY RESURFACING & PLACING CURB RAMPS W/TRUNCATED DOMES; EMERGENCY
Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#11 - O#13; O#11 ADOPTED; O#12 ADOPTED AS AMENDED)

- 83/2009 11. AMEND APPROP O#193/2008, AS AMENDED, SUPP APPROP & APPROP TRANSFERS; EMERGENCY
(FIN)

AMENDED

- 84/2009 12. 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
(PER & FIN)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

2ND RDG 13. _____ 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 (FIN)

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

85/2009 14. _____ 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)

AMENDED

86/2009 15. _____ AMEND CHAPTER 105, CONTRACTS, OF TITLE ONE - GENERAL PROVISIONS OF CODIFIED ORDINANCES OF THE CITY OF CANTON (PROJECT LABOR AGMTS)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, JUNE 8, 2009 in Council Caucus @ 6:00 P.M.**

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

PUBLIC SPEAKS: Anthony Libertore re: Member of Ironworkers Local 550. Wanted to personally thank the Members of Council for passing the Project Labor Agreement Ordinance No. 86/2009 which gives opportunity for work and to keep the tax base here in this community where it belongs; Daniel Konovsek re: Thanking Council for passing Project Labor Agreement Ordinance No. 86/2009, feels that it is very important to keep the job here in Canton; Darrell Compton re: Lifetime citizen of Canton, Ohio and wanted to thank the entire Council for adopting Ordinance No. 86/2009 which seizes the opportunity to keep taxes in the City and keep our local men and women working like they should be; Patricia Kirk re: Reminding everyone about the two part mini series being held by Shake-a-Leaf, the first one being June 2nd @ 6:30 P.M. at Church of the Savior and the second series is Friday, June 5th @ 6:30; Betty Medley re: Asking when the vote for the increase in sanitation rates will be taking place; John Stone re: Reporting that the Heart of the Heart in Nimisilla Park was successful and showed video regarding that.

MISCELLANEOUS BUSINESS: Member West re: Reminding Council Members about the Water Treatment Facility tour; Director Price re: Advising Ms. Medley that on May 14, 2009 he sent a letter to Council and in accordance with the Canton Codified Ordinance, 45 days after that date the sanitation rate will go into effect unless Council would take some action to change the rate submitted by the Service Director and that day would fall on June 28, 2009; Member West re: Asking for confirmation that the rate increase is 24%; Service Director Price re: Advising Member West that the increase would take the rate from \$14.39/month to approx. \$17.80/month; President Schulman re: Encouraging anyone to obtain a copy of the hand out that Members of Council received from the Service Director last week, which he feels was one of the most thorough reports that he thinks has been presented to Council in a very long time. Feels that the Director deserves a lot of credit for putting the report together because it was a lot of hard work. Also thanking the Law Department, Law Director Martuccio and all the hard working lawyers that put time and effort in on the Federal Court trial that's going on against the City.

ADJOURNMENT: 8:21 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JUNE 8, 2009 @ 7:30 PM