

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

JUNE 8, 2009

ROLL CALL: All Council Members Present

INVOCATION: Don Casar, Council-at-Large

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O# 7; O#7 Adopted on 1st Rdg; 2nd Rdg O#8 - O#15; O#13 Adopted on 2nd Rdg; O#14 Adopted as Amended 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)

38. COUNCIL AS A WHOLE:

COMMENDING OFFICERS JOE PILEGGI AND STEVEN FOWLER FOR THE HEROISM AND RESCUE OF RESIDENTS FROM THEIR BURNING HOME. - ADOPTED

39. COUNCIL AS A WHOLE:

RECOGNITION OF NICK PALLOTTA FOR PUBLIC SERV TO THE CANTON COMMUNITY. - ADOPTED

40. WEST, T., WARD 2 CNCLMN:

SUPPORTING HOUSE BILL 176. - ADOPTED

COMMUNICATIONS:

240. AGENT, ROBERT MAURER:

REQ ZONE CHANGE FROM I-1(LIGHT INDUSTRIAL) TO PR-1a (PLANNED RESIDENTIAL SINGLE FAMILY) FOR NEW HOME CONSTRUCTION @ 622 7TH ST NE. - PLANNING COMMISSION

241. AUDITOR MALLONN (CITY):

CERT FROM ALL SOURCES FOR 2009. - RECEIVED & FILED

242. AUDITOR MALLONN (CITY):

MONTHLY RPT BY FUND 5/1/09 - 5/29/09. - RECEIVED & FILED

243. AUDITOR MALLONN (CITY):

YEARLY RPT BY FUND 1/1/09 - 5/29/09. - RECEIVED & FILED

244. AUDITOR MALLONN (CITY):

AUTHORIZE AUDITOR TO REFINANCE TWO OUTSTANDING BOND ISSUES; AUTHORIZE APPROP REDUCTION OF AUDITOR LEGAL OBLIGATION; AMEND O#38/2004 DIRECTING AUDITOR TO REDUCE COMPAB PREMIUM; AUTHORIZE SUPP APPROP, APPROP TRANSFER & REDUCTION IN STREET DEPT; AUTHORIZE REDUCTION OF AUDITOR'S BUDGET. - FINANCE COMMITTEE

245. COURT ADMIN KOCHERA:

AUTHORIZE MAYOR TO ENTER INTO AGMT W/STATE OF OHIO, DEPT OF REHAB & CORRECTION (ODR&C) FOR 2010 COMMUNITY CORRECTIONS ACT (CCA) GRANT IN AMT \$81,465.00 FOR PERIOD COMMENCING 7/1/09 - 6/30/10 TO FUND ONE FULL-TIME POSITION IN COMM SERV & ONE-HALF POSITION IN PROBATION DEPT. - FINANCE COMMITTEE

246. COURT OF COMMON PLEAS:

ORDER GRANTING STAY PENDING APPEAL (RM INVESTMENTS/RTA METRO ANNEXATION). - RECEIVED & FILED

247. DEVELOPMENT DIRECTOR TORRES:

AUTHORIZE MAYOR TO ENTER INTO AGMT W/STARK COUNTY OUT OF POVERTY PARTNERSHIP TO PROVIDE HOME FUNDS IN AMT OF \$35,000.00 TO ADMINISTER CANTON'S HOUSING PROG FOR LOW & MODERATE INCOME FAMILIES FOR RETRO PERIOD 1/1/09 - 12/31/09. - COMMUNITY & ECONOMIC DEVELOPMENT

248. DEVELOPMENT DIRECTOR TORRES:

AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/CCIC TO PROVIDE GRANT UTILIZING CDBG-R FUNDS IN AMT NOT TO EXCEED \$421,783.00 FOR GRANTS, LOANS, & ADMIN COSTS. - COMMUNITY & ECONOMIC DEVELOPMENT

249. DEVELOPMENT DIRECTOR TORRES:

AUTHORIZE MAYOR TO SUBMIT APPLICATION TO HUD TO REC FUNDS FROM NEIGHBORHOOD STABILIZATION PROG 2 UNDER AMERICAN RECOVERY & REINVESTMENT ACT OF 2009; AUTHORIZE CITY TO ISSUE RFP, ACCEPT & EVALUATE PROPOSALS, SELECT, & ENTER INTO CONTRACT W/QUALIFIED AGENCIES TO PERFORM & ACHIEVE GOALS OF RECOVERY ACT; AUTHORIZE AUDITOR TO ESTABLISH NSP2 FUND FOR RECEIPT & DISBURSEMENT OF FUNDS & DRAW WARRANTS. - COMMUNITY & ECONOMIC DEVELOPMENT

250. LIQUOR CONTROL DIVISION (OHIO):

ADVISING THAT RENEWAL APPLICATION FOR MARK & FRANCES MILLS DBA MILL INN @ 1537 HARRISON AVE SW WILL BE PROCESSED FOR D2, 2X, 3 PERMIT. - RECEIVED & FILED

251. LIQUOR CONTROL DIVISION (OHIO):

ADVISING THAT RENEWAL APPLICATION FOR MARK & FRANCES MILLS DBA MARK'S TAVERN @ 1652 BRYAN AVE SW, 1ST FL, FRONT WILL BE PROCESSED FOR D2, 2X, 3 PERMIT. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

252. LIQUOR CONTROL DIVISION (OHIO): REQ STOCKHOLDER CHANGE ON C1 C2 PERMIT FROM KMKP INC DBA PHILS WINE BOUTIQUE @ 201-203 12TH ST NW & BSMT FROM KULWINDER SINGH SANDHU AND PARDEEP GILL TO KULWINDER SINGH SANDHU AND KULMEET SINGH BHULLAR. - RECEIVED & FILED
253. MAYOR WILLIAM HEALY: AUTHORIZE MAYOR TO ENTER INTO PROF SVC CONTRACT W/BLACK, MCCUSKEY, SOUERS & ARBAUGH IN AMT NOT TO EXCEED \$25,000.00 TO ASSIST DEFENSE IN LITIGATION OF SEVERAL WORKERS' COMP CLAIMS; REQ SUPP APPROP TO FUND ABOVE. - FINANCE COMMITTEE
254. OHIO INDUSTRIAL COMMISSION: ANNOUNCING THE CLOSING OF CANTON OFFICE TO CONSOLIDATE W/AKRON OFFICE & THE RELOCATION OF 12 EMPLOYEES. - RECEIVED & FILED
255. SAFETY DIRECTOR NESBITT: NOTIFYING OF COOP AGMT BETWEEN THE CITY AND SMHA FOR PROCUREMENT & INSTALLATION OF SECURITY CAMERAS AT REFURBISHED SMHA SITES IN AN AMOUNT NOT TO EXCEED \$40,000.00 OF CDBG FUNDS. - FINANCE COMMITTEE
256. SAFETY DIRECTOR NESBITT: REC OF APRIL 2009 RPT OF INMATES INCARCERATED PROVIDED BY STARK CTY SHERIFF TIMOTHY SWANSON. - RECEIVED & FILED
257. SAFETY DIRECTOR NESBITT: DEMO LIST OF 7 PROPERTIES DETERMINED UNSAFE & HAZARDOUS IN VARIOUS WARDS. - COMMUNITY & ECONOMIC DEVELOPMENT
258. SAFETY DIRECTOR NESBITT: DEMO LIST OF 5 PROPERTIES DETERMINED UNSAFE & HAZARDOUS IN VARIOUS WARDS. - COMMUNITY & ECONOMIC DEVELOPMENT
259. SAFETY DIRECTOR NESBITT: AUTHORIZE SAF DIR TO ENTER INTO CONTRACT W/FEDERAL SIGNAL CORP IN AMT NOT TO EXCEED \$23,538.00 FOR PURCHASE & INSTALLATION OF ONE WARNING SIREN TO BE INSTALLED IN THE AREA OF "THE QUARRY". - FINANCE COMMITTEE
260. SAFETY DIRECTOR NESBITT: AMEND O#40/2000, CLASSIFICATION PLAN FOR BARGAINING UNIT EMPLOYEES WITHIN POLICE DEPT TO REDUCE LIEUTENANT CLASS FROM 17 TO 15 AND SERGEANT CLASS FROM 22 TO 20 IN AGMT BETWEEN FOP & CITY OF CANTON. - PERSONNEL & FINANCE COMMITTEES
261. SAFETY DIRECTOR NESBITT & SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR OR SAF DIR TO ADVERTISE, REC BIDS, & ENTER INTO CONTRACT FOR PURCHASE &/OR LEASE OF VEHICLES &/OR EQUIPMENT; REQ SUPP APPROP FOR SAID. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
262. SERVICE DIRECTOR PRICE: APPROVE WATER MAIN EXT FOR SMHA ON JASPER ST & ZIRCON AVE NE OF 820' OF 8 INCH PIPE TO SERVICE 4 DUPLEXES APPROX 14,700 FT OUTSIDE CORP LIMITS. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
263. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS, ENTER INTO CONTRACT FOR DETENTION BASIN ASSOCIATED W/30TH ST NE/FAIRHOPE NATURE PRESERVE PROJ. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
264. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO SEND NOTICE OF TERMINATION OF MGMT CONTRACT OF CANTON MEMORIAL CIVIC CTR W/SMG MGMT. - FINANCE COMMITTEE
265. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/CANTON SYMPHONY ORCHESTRA ASSOC FOR 2009 "CONCERT IN THE PARK" HELD AT MONUMENT PARK ON 7/2/09 IN AMT OF \$31,100.00. - FINANCE COMMITTEE
266. TREASURER SCHIRACK: APRIL 2009 DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED
267. TREASURER SCHIRACK: APRIL 2009 PARKING METER REVENUE. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE SERV DIR IN COLLABORATION W/STARK COUNTY REGIONAL PLANNING TO ISSUE JOINT REQ FOR PROPOSAL, ACCEPT & EVALUATE PROPOSALS, & SELECT & ENTER INTO CONTRACT W/LOCAL AGENGIES QUALIFIED TO PROVIDE NECESSARY SERV TO ACHIEVE GOALS

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

OF HOMELESS PREVENTION PROG; EMERGENCY
Referred to Community & Economic Development Committee

- 1ST RDG 2. AMEND O#55/77, AS AMENDED, KNOWN AS ZONING ORDINANCE; EMERGENCY (LOT NOS. 42976 & 42978 & PART OF OUT LOT 1317 - DUMONT'S SEED CO) **PUB HRG 7/6/09 @ 7:30 P.M.**
Referred to Judiciary Committee
- 1ST RDG 3. APPROVE & ACCEPT REPLAT OF PARTS OF OUT LOTS NOS. 397 & 398; EMERGENCY (13TH ST NE)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 4. AUTHORIZE CANTON TO ANNEX THE TERRITORY KNOWN AS CENTRAL ALLIED ANNEXATION AREA CONTAINING APPROX 19.075 ACRES; ASSIGNING SAID TERRITORY TO WARD 6; ZONING SAID TERRITORY AS I-1 (LIGHT INDUSTRIAL) & R-1A (SINGLE FAMILY RESIDENTIAL);EMERGENCY
Referred to Annexation Committee **PUB HRG 7/6/09 @ 7:31 P.M.**
- 1ST RDG 5. AUTHORIZE SERV DIR TO ENTER INTO COOP AGMT W/BOARD OF STARK CNTY COMMISSIONERS FOR THE REPLACEMENT OF THE MILL STREET BRIDGE IN AMT NOT TO EXCEED \$200,000.00; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 6. AUTHORIZE MAYOR TO ENTER INTO ANNEXATION AGMT W/PLAIN TOWNSHIP ON PARK FARMS ANNEXATION AREA
Referred to Annexation Committee
- 87/2009 7. RESOLUTION AUTHORIZING & DIRECTING SERV DIR TO NOTIFY SMG OF NON-RENEWAL OF PROF SERV AGMT FOR MGMNT OF CIVIC CENTER
Referred to Finance Committee

(COUNCIL RECESSED @ 7:55 P.M. FOR FINANCE COMMITTEE TO DISCUSS THE ADOPTION OF O#7; RECONVENED @ 7:56 P.M.)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#8 - O#15; O#13 ADOPTED; O#14 ADOPTED AS AMENDED)

- 2ND RDG 8. AMEND CHAPTER 150, SYSTEMS PLANNING BD, OF CODIFIED ORDINANCES _____(JUD&FIN)
- 2ND RDG 9. AMEND APPROPRIATION O#193/2008, AS AMENDED, BY MAKING SUPP APPROPS, ADVANCE & ADVANCE REPAYMENT; EMERGENCY (COMMUNITY SERVICE) (FIN&C&ED)
- 2ND RDG 10. 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) (C&ED)
- 2ND RDG 11. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/STARK CTY BD OF COMMISSIONERS FOR VISRE STREET LEVEL IMAGERY SVCS; EMERGENCY (C&ED)
- 2ND RDG 12. AMEND O#193/2008, AS AMENDED, BY MAKING \$5,085.02 SUPP APPROP TO: 2328 PUBLIC HEALTH INFRASTRUCTURE; EMERGENCY (FIN)
- 88/2009 13. AUTHORIZE SAF DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR CONSTRUCTION OF A NEW K9 TRAINING BLDG; EMERGENCY (PPCI&FIN)
- AMENDED**
- 89/2009 14. 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 (PPCI&FIN)
- 2ND RDG 15. AMEND O#55/77, AS AMENDED, KNOWN AS ZONING ORDINANCE; EMERGENCY (WESTBROOK CHURCH - 2521 12TH ST NW) **PUB HRG: 6/22/09 @ 7:30 P.M.**
 _____(JUD)

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

- 90/2009 16. _____ 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 (30TH ST NE)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, JUNE 22, 2009 in Council Caucus @ 6:00 P.M.

- 1) Judiciary Committee
- 2) Community & Economic Development Committee
- 3) Public Safety & Thoroughfares Committee
- 4) Annexation Committee

PUBLIC SPEAKS: Jason Scaglione is upset about the number of crimes in our city. Stated that we must get tougher on the criminals and stop letting these repeat offenders commit crimes over and over. Commends the Safety Director on all the efforts so far but feels we still need more. Faye Heston speaking on behalf of the Canton Parks Commission. She is the chair of the Children's Garden Facility. She is pleased with the support of the Park Commission and the companies and children who have

helped to build this garden and asks for the continued support in this program for education of children. Patricia Kirk mentions how the Kresge lot is now sparkling and ready for summer. She and some volunteers that donated time and materials have mulched, planted and pruned trees. Patricia discussed the excellent outcome of the 2 seminars sponsored by Shake-a-Leaf and the fact that only a minimal number of people from the city governments participated. Richard Deitrick upset about the closing of the YMCA and the possible tearing down of the building. He understands that times are bad and money is tight but a city cannot be without a Y for the kids of all colors. Bob Breazal is concerned about the amount of crimes in the neighborhoods and throughout our city. He wants to see more police presence in the streets to try and deter some of the criminals. Ruby Brogdon wants the house next to her cleaned up. There have been many people out to look at the home from several city departments but nothing has been done. She doesn't live like that and will not start now. This house has been an eyesore since the Creighton administration and needs taken care of. Betty Bell also discussing the lot next to her. The home was demolished last year and some trees cut down but the trees were never removed. There are now groundhogs living at her house and in the trees and she would like to have them hauled away. Eric Resnick thanking Council for passing Resolution #40 for equal rights and creating a Canton where people want to live.

MISCELLANEOUS BUSINESS: Council Member West asking a couple of questions to the administrations about the high grass situation in the city; the parking signs for the meter times being installed in the downtown area; and notifying people that he has been working in support of saving the YMCA. Service Director Price stating that we must allow homeowners due process of time to get their yards mowed. They have mailed thousands of letters letting people know that the city mowed their property last year and will again this year for a fee and now some of the help is in place to start accomplishing this. Mayor Healy stated that he did not have an answer regarding the status of the signs for parking downtown and will get the information before the week is out. Member Cirelli remarking on the Southwest cleanup with the COOL group of volunteers on May 30th. She was very impressed by the amount of work that they accomplished with 250 volunteers giving of their hearts to make such a huge difference in an area in just one day. She will be keeping in touch with this group for possible efforts in other areas. Member Smuckler commenting on the budget meeting held earlier today and asking the Mayor of his plans since the budget money would not be carrying some departments to the end of the year. Mayor Healy said the original budget was created on the amount that was to be certified by the Auditor's office and now the revenues are much less than expected as a sign of the bad economic times. After meeting with the Auditor, he will approach Council with the necessary changes in the budget and the certified amounts and hopes that will be within 4 to 6 weeks. Council Member Griffin met with Mr. Eakin today, the man that lost his wife and grandchildren today. He had left for work early today or may have been a victim also. He is thankful to the City for the tenderness that was shown to his family with today's tragedy.

ADJOURNMENT: 8:30 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JUNE 22, 2009 @ 7:30 PM