

**FINAL**  
**A G E N D A**  
7:30 PM

CANTON CITY COUNCIL

SEPTEMBER 28, 2009

**ROLL CALL:** Eleven Members Present, One Absent (Member Smuckler)

**INVOCATION:** Butch Kraus, Ward 8 Council Member

**PLEDGE OF ALLEGIANCE:** Led by President Allen Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#5, O#6 & O#9 - O#15; O#7 & O#8 Retained in Committee; O#16 (178/2009) Reconsidered & Adopted as Amended; O#28 Adopted as Amended)

**PUBLIC HEARINGS:**

**7:30 PM** AN ORDINANCE VACATING A PORTION OF SITES PLACE NE; APPROVING AND ACCEPTING THE REPLATTING OF LOTS NOS. 1836-1838 AND PART OF SITES PLACE N.E.; AND DECLARING THE SAME TO BE AN EMERGENCY; PLANNING COMMISSION RECOMMENDED APPROVAL; (YWCA) **O#182/2009**

**7:31 PM** AN ORDINANCE AMENDING VARIOUS CHAPTERS OF PART ELEVEN PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; PLANNING COMMISSION RECOMMENDED APPROVAL OF PROPOSED RATE INCREASE **O#181/2009**

**PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY):**

**INFORMAL RESOLUTIONS:**

MAJORITY LEADER DON CASAR: EXCUSING MEMBERS. (MEMBERS SMUCKLER)

**COMMUNICATIONS:**

424. AUDITOR MALLONN: REQ SUPP APPROP REDUCTION & APPROP TRANSFER (BOND REFINANCE). - FINANCE COMMITTEE

425. AUDITOR MALLONN: CERTIFICATE OF TOTAL AMT FROM ALL SOURCES FOR 2009. - RECEIVED & FILED

426. DEVELOPMENT DIRECTOR TORRES: REQ \$8.01 SUPP APPROP FROM UNAPPROP 2232 108 GUARANTEED LOAN REPAYMENT FUND TO 2232 108 GUARANTEED LOAN REPAYMENT FUND - OTHER FOR FINAL PAYMENT FOR CONSTRUCTION OF CORNERSTONE OFFICE BLDG & PARKING DECK. - FINANCE COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

1<sup>ST</sup> RDG 1. AUTHORIZE MAYOR TO FILE APPLICATION W/THE US ENVIRONMENTAL PROTECTION AGENCY, EXECUTE A COOP AGMT W/THE EPA & ACCEPT \$444,004.00 IN BROWNFIELD STIMULUS FUNDS; AUTHORIZE MAYOR TO ENTER INTO CONTRACT W/STARK STATE COLLEGE IN AMT NOT TO EXCEED \$375,559.00 & GOODWILL IND IN AMT NOT TO EXCEED \$66,845.00 AS REQ BY THE COOP AGMT; EMERGENCY  
Referred to Community & Economic Development & Finance Committees

1<sup>ST</sup> RDG 2. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING \$1,151,591.81 APPROP TRANSFER FROM UNAPPROP BAL OF 6017 HEALTH & LIFE INS FUND TO 6017 201001 SVC DIR ADMIN PERSONNEL SVC; EMERGENCY  
Referred to Finance Committee

1<sup>ST</sup> RDG 3. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING \$370,000.00 SUPP APPROP FROM UNAPP BAL OF THE 2328 PUBLIC HEALTH INFRASTRUCTURE FUND; EMERGENCY  
Referred to Finance Committee

1<sup>ST</sup> RDG 4. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING \$2,771.87 APPROP TRANSFER FROM 2354 SOLID WASTE - OTHER TO 2354 SOLID WASTE - PERSONNEL; EMERGENCY  
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**

**(SUSPENDED RULE 22A TO ADD O# 5, O#6 & O#9 - O#15; O#7 & O#8 RETAINED IN CMTE)**

2<sup>ND</sup> RDG 5. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING APPROP REDUCTIONS & APPROP TRANSFER; EMERGENCY (AUDITOR) (FIN)

2<sup>ND</sup> RDG 6. AUTHORIZE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM SAMUEL J MAZE (PARCEL #02-10421 ON GLENDALE PL NE) (C&ED)

**RETAINED IN CMTE**

7. VACATE LINDESMITH CT SW & PORTION OF BORS CT SW; APPROVE & ACCEPT REPLAT OF LOTS #15757, 15759 - 15766, PART OF LOT #15756 & THE TWO VACATED PORTIONS; EMERGENCY (AULTMAN) (PS&T) **PUB HRG 10/19/09 @ 7:30 PM**

**RETAINED IN CMTE**

8. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING \$200,000.00 APPROP TRANSFER FROM 2760 101001 FED FORFEITURE FUND - OTHER TO 2760 102000 FED FORFEITURE FUND - OTHER; EMERGENCY (JUD & FIN)

2<sup>ND</sup> RDG 9. AUTHORIZE SAF DIR TO ACCEPT GRANT FROM COPS HIRING RECOVERY PROG IN AMT NOT TO EXCEED \$1,412,392.00; EMERGENCY (FIN)

2<sup>ND</sup> RDG 10. AUTHORIZE SAF DIR TO ACCEPT GRANT FROM 2009 EDWARD BYRNE MEMORIAL RECOVERY ACT COMPETITIVE GRANT IN AMT NOT TO EXCEED \$112,500.50; EMERGENCY (FIN)

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:**

- 2<sup>ND</sup> RDG 11. AUTHORIZE SAF DIR TO ACCEPT GRANT FROM 2009 EDWARD BYRNE RECOVERY ACT GRANT LOCAL SOLICITATION IN AMT NOT TO EXCEED \$233,999.20; AMEND O#193/2008; AUTHORIZE AUDITOR TO ESTABLISH 2774 BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT 2009 FUND; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 12. AUTHORIZE SAF DIR TO ACCEPT GRANT FROM 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT REGULAR SOLICITATION IN AMT NOT TO EXCEED \$157,112.20; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 13. AUTHORIZE SAF DIR TO ACCEPT GRANT FROM 2009 EDWARD BYRNE RECOVERY ACT JUSTICE ASSISTANCE GRANT IN AMT NOT TO EXCEED \$166,111.00; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 14. AMEND PART NINE - STREETS, UTILITIES & PUBLIC SVCS CODE, OF CODIFIED ORDINANCES (TO COMPLY W/NAT'L POLLUTANT DISCHARGE ELIMINATION SYSTEM) (E&PU)
- 2<sup>ND</sup> RDG 15. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID & DELINQUENT CHRGS FOR WATER &/OR SEWER SVCS; EMERGENCY (E&PU)

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE:****RECONSIDERED & AMENDED**

- 178/2009 16. **O#178/2009 FROM 9/21/09** AMEND APPROP O#193/2008, AS AMENDED, BY MAKING VARIOUS APPROP REDUCTIONS, APPROP TRANSFERS, SUPP APPROP & INTERFUND TRANSFERS (DMV)

- DEFEATED** 17. SUSPEND ALL TRAVEL UNLESS RELATED TO MANDATORY CERTIFICATION, LICENSING OR LEGAL PROCEEDINGS; EMERGENCY

- 180/2009 18. AMEND SEC 975.07, LOCATION OF WASTE FOR PICKUP, OF CHAPTER 975, SOLID WASTE MGMT SYSTEM, OF THE CODIFIED ORDINANCES

- 181/2009 19. AMEND VARIOUS CHAPTERS OF PART ELEVEN, PLANNING & ZONING CODE, OF THE CODIFIED ORDINANCES (FEE CHANGES) **PUB HRG: 9/28/09 @ 7:31 PM**

- 182/2009 20. VACATING A PORTION OF SITES PL NE; APPROVE & ACCEPT REPLAT OF LOTS NOS 1836 - 1838 AND PART OF SITES PL NE; EMERGENCY (YWCA) **PUB HRG: 9/28/09 @ 7:30 PM**

- 183/2009 21. AUTHORIZE SERV DIR TO ENTER INTO A PROF SVCS AGMT W/JOHN PATRICK PICARD ARCHITECTS, INC IN AMT NOT TO EXCEED \$136,000.00 FOR ARCHITECTURAL & ENGINEERING SVCS & TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR THE CONSTRUCTION OF THE MUNI COURT EXPANSION PROJ; AMEND APPROP O#193/2008, AS AMENDED; EMERGENCY

- 184/2009 22. ESTABLISH FAIR MKT VALUE OF ONE PARCEL OF CITY-OWNED PROP; AUTHORIZE SALE AND CONVEYANCE OF SAID PROP PURSUANT TO CITY'S RES LAND DISPOSITION PROG; EMERGENCY (PARCEL #02-01642, ON BROWN AVE NW, FRANK CILONA)

- 185/2009 23. AMEND O#172/2008; EMERGENCY (CHANGE NEIGHBORHOOD STABILIZATION GRANT AWARD TO \$3,678,562.00)

- 186/2009 24. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING \$520,000.00 SUPP APPROP FROM UNAPP BAL OF 2212 HUD NEIGHBORHOOD STAB 2009 STIMULUS FUND TO 2212 506009 HUD NEIGHBORHOOD STAB 2009 STIMULUS FUND - OTHER; EMERGENCY

- 187/2009 25. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING \$23,000.00 APPROP TRANSFER FROM 2211 506009 COMM DEV 2009 STIMULUS FUND - OTHER TO 2211 506009 COMM DEV 2009 STIMULUS FUND - PERSONNEL; EMERGENCY

- 188/2009 26. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING \$3,000.00 APPROP TRANSFER FROM 2211 501601 YOUTH DEV ADMIN - PERSONNEL TO 2211 505001 COMPLIANCE ADMIN - PERSONNEL; EMERGENCY

- 189/2009 27. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING \$300,000.00 SUPP APPROP FROM UNAPP BAL OF 7505 TICKETMASTER FUND TO 7505 203001 CIVIC CENTER - ADMIN - OTHER; EMERGENCY

**AMENDED**

- 190/2009 28. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING VARIOUS APPROP REDUCTIONS, APPROP TRANSFERS, SUPP APPROP & INTERFUND TRANSFERS; EMERGENCY

- 191/2009 29. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING VARIOUS SUPP APPROPS; EMERGENCY (FED FORFEITURE FUND & LAW ENFORCEMENT TRUST FUND FOR POLICE DEPT)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, OCTOBER 5, 2009 in Council Caucus @ 6:15 P.M.**

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

**PUBLIC SPEAKS:** Ida Ross Freeman re: Thanking all the Council Members that voted against the travel ordinance; C. David Morgan re: Thanking President Schulman for his recent remarks at Council Meeting and in the newspaper regarding taxes.

**MISCELLANEOUS BUSINESS:** Member Cirelli re: Asking Law Director Martuccio if he had an answer to her questions regarding pit bulls; Law Director Martuccio re: Gave some details about the City's pit bull laws but advised that he will get her full details at a later date; Member Cirelli re: Asking Service Director Price if the City has someone cleaning out the storm sewers; Service Director Price re: Stated that the City does have a storm sewer cleaning program; Member Cirelli re: Asking Mayor Healy to confirm that he did get rid of one person from the 8<sup>th</sup> floor; Mayor Healy re: Telling Member Cirelli that the employee was transferred to another department. Also expressing his appreciation to the Finance Committee for their concern with the travel and advising that he will be strengthening the travel restraints; Member Hawk re: Telling Mayor Healy that he and the Finance Committee made all the changes to the ordinance that he requested.

**ADJOURNMENT:** 8:32 P.M.

---

---

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 5, 2009 @ 7:30 PM**