

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

CANTON CITY COUNCIL

NOVEMBER 16, 2009

**ROLL CALL:** Eleven Members Present, One Absent (Member Kraus and President Schulman)

**INVOCATION:** Greg Hawk, Ward 1 Council Member

**PLEDGE OF ALLEGIANCE:** Led by President Pro Tem Don Casar

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#2, O#3, O#5, O#6, O#7, O#8, O#9 & O#10; O#2 Adopted on 2<sup>nd</sup> Rdg; O#4 Retained in Cmte; O#13 Adopted as Amended)

**PUBLIC HEARINGS:** (None)

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

**INFORMAL RESOLUTIONS:**

- MAJORITY LEADER DON CASAR: EXCUSING MEMBERS. (MEMBER KRAUS AND PRESIDENT SCHULMAN)
57. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF SUSAN NEDDY-SCOPELITE TO STARK REGIONAL PLANNING COMMISSION FOR 3 YR TERM. - ADOPTED

**COMMUNICATIONS:**

483. APPLICANT, MUNIR RASDAN: APPLICATION FOR PROPOSED ZONE CHANGE @ 1639 MAPLE AVE NE FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PB-3 (COMMERCIAL). - PLANNING COMMISSION
484. LAW DIRECTOR MARTUCCIO: REQ PAYMENT OF \$12,000.00 MORAL OB TO SQUIRE, SANDERS & DEMPSEY FOR TECHNICAL CONSULTING SERV & REPRESENTATION PROCESS WITH OHIO EPA. - FINANCE COMMITTEE
485. PLANNING COMMISSION: RECOMMEND DENIAL OF ZONE CHG FOR ICAN HOUSING ON RICHMOND AVE NE. - JUDICIARY COMMITTEE
486. SAFETY DIRECTOR REAM: REQ LEGISLATION TO CREATE A SPECIAL EVENT ORDINANCE W/GUIDELINES FOR EVENTS HELD ON CITY PROPERTY. - JUDICIARY COMMITTEE
487. SERVICE DIRECTOR PRICE: REQ LAW DEPT TO ASSIST IN NEGOTIATIONS FOR PROJ LABOR AGMT (PLA) W/EAST CENTRAL OHIO BLDG & CONST TRADES COUNCIL FOR NEW FIRE STATION #4. - RECEIVED & FILED
488. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO COOP AGMT W/ODOT &/OR OHIO RAIL DEVELOPMENT COMMISSION (ORDC) FOR CONSTRUCTION OF VARIOUS RAILROAD CROSSING & SIGNAL PROJECTS. - FINANCE COMMITTEE

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

- 1<sup>ST</sup> RDG 1. AMEND TITLE SEVEN, HOUSING STANDARDS, OF PART THIRTEEN - BUILDING CODE OF THE CODIFIED ORDINANCES  
Referred to Judiciary Committee

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

**(SUSPENDED RULE 22A TO ADD O#2, O#3, O#5, O#6, O#7, O#8, O#9, O#10; O#2 ADOPTED ON 2<sup>ND</sup> READING; O#4 RETAINED IN COMMITTEE)**

- 218/2009 2. **RETAINED IN COMMITTEE FROM 10/26 & 11/9/09** AUTHORIZE MAYOR TO FILE W/US DEPT OF HSNG & URBAN DEV A 2010 CONSOLIDATED PLAN FOR THE 2010 CDBG PROG, 2010 HOME INVESTMENT PARTNERSHIP PROG & 2010 EMER SHELTER GRANT PROG; RATIFYING SUBMISSION & FILING OF SAID PLAN; AUTHORIZE MAYOR TO EXECUTE GRANT AGMTS W/US DEPT OF HSNG & URBAN DEV & TO ACCEPT FUNDING FOR THE THREE PROGS; EMERGENCY  
(C&ED & FIN)

- 2<sup>ND</sup> RDG 3. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING \$15,000.00 SUPP APPROP FROM UNAPPROP BAL OF 2211 COMM DEV FUND TO 2211 101501 CODE ENFORCEMENT ADMIN - OTHER; EMERGENCY  
(C&ED & FIN)

**RETAINED IN CMTE**

4. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING APPROP TRANSFER & VARIOUS SUPP APPROPS; EMERGENCY (JUDGES)  
(FIN)

- 2<sup>ND</sup> RDG 5. RES APPROVING STATEMENT OF SVCS TO BE PROVIDED TO PROP OWNER IN THE ZBUKA ANNEX AREA, THE APPROX DATE SVCS WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO CITY; EMERGENCY  
(ANNEX)

- 2<sup>ND</sup> RDG 6. RES APPROVING STATEMENT OF SVCS TO BE PROVIDED TO PROP OWNER IN THE DELONG ANNEX AREA, THE APPROX DATE SVCS WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY; EMERGENCY  
(ANNEX)

- 2<sup>ND</sup> RDG 7. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING VARIOUS APPROP TRANSFERS; EMERGENCY (YOUTH DEVELOPMENT)  
(FIN)

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

- 2<sup>ND</sup> RDG 8. APPROVE & ACCEPT REPLAT OF PART OF OUT LOT 391; EMERGENCY (1325 17<sup>TH</sup> ST NE) (PS&T)
- 2<sup>ND</sup> RDG 9. APPROVE & ACCEPT REPLAT OF PART OF LOT 5339 & ALL OF LOTS 5340, 5341 & 5342; EMERGENCY (6<sup>TH</sup> ST SW EAST OF COOK AVE) (PS&T)
- 2<sup>ND</sup> RDG 10. APPROVE & ACCEPT REPLAT OF PART OF LOT 1505; EMERGENCY (900 BLOCK OF 10<sup>TH</sup> ST NE) (PS&T)

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

- 219/2009 11. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/STARK COMM FOUNDATION/COMM BLDG PARTNERSHIPS IN AMT NOT TO EXCEED \$40,000.00 FOR NEIGHBORHOOD STAB PROGS; AMEND APPROP O#193/2008; EMERGENCY
- 220/2009 12. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/YWCA OF CANTON TO PROVIDE A GRANT IN AMT NOT TO EXCEED \$30,000.00 TOWARDS PURCHASE OF NEW ELEVATOR; EMERGENCY

**AMENDED**

- 221/2009 13. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING APPROP TRANSFERS, SUPP APPROP, APPROP REDUCTION & INTERFUND TRANSFERS HEREIN DESCRIBED; EMERGENCY
- 222/2009 14. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING APPROP TRANSFER \$16,100.00 FROM: 2313 30-10-01 PREVENTIVE HEALTH FUND - OTHER TO: 2313 30-10-01 PREVENTIVE HEALTH FUND - PERSONAL SERV; EMERGENCY
- 223/2009 15. AMEND APPROP O#193/2008, BY MAKING APPROP TRANSFER \$7,587.00 FROM: 1001 304001 HEALTH LAB - PERSONNEL TO: 1001 307001 HEALTH ENVIRONMENTAL ADMIN - PERSONNEL; EMERGENCY
- 224/2009 16. AUTHORIZE SAF DIR TO ENTER INTO CONTRACT W/INSIGHT PUBLIC SECTOR, INC IN AMT NOT TO EXCEED \$129,405.00 FOR PURCHASE OF PANASONIC TOUGHBOOK LAPTOP COMPUTERS, EXTENDED WARRANTY & RELATED EQUIP PURSUANT TO ORC SEC 125.04; EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, NOVEMBER 23, 2009 in Council Caucus @ 6:30 P.M.**

- 1) Judiciary Committee
- 2) Finance Committee

**PUBLIC SPEAKS:** Brenda Baylor opposing the opening of the Ambassador Hotel to be used for a rehabilitation facility for ex-convicts. She and others have obtained 575 signatures in three days times all against this facility. She stated that Canton City residents should be aware that in the area being discussed they are surrounded by Canton Township and this facility will effect them and their children as well. Brenda also thanked The Repository for making people aware that this action was in progress because none of the residents of the area knew this building was to be used as a re-entry facility. Jennifer Zachary is the mother of children that wait at the bus stop by the Ambassador Hotel and she is concerned over the number of wooded areas that are all around this community. She does agree that rehabilitation has to exist for these persons but feels that it should be in an area with more supervision and less children and she states that she is aware property values in the neighborhood will be affected with this type of center. Linda Stevens wants to know why former inmates are being permitted to come into a residential area that is only 8/10's of a mile away from a school. Many of the people that will be residing at the Ambassador were convicted of sexual crimes and should not have access to these students and she fears that many will be inmates again at some point in life. She is questioning why the Reverend that is sponsoring this program has not chosen his own neighborhood for this establishment. Bruce Schorsten was speaking as both a landlord and a realtor with concern over the new housing standards that are being introduced to amend title seven of the building code ordinance. He does agree that the city needs codes in place to keep rental properties safe but feels that this is designed just to raise various fees to the homeowners and will not change the status of some of the structures. Bruce is fearful that more good landlords will begin selling their properties to escape the new regulations and leave more properties in Canton vacant or purchased by the slum lords that do not maintain their properties now. Mike Rukavina is opposing the amending of Title 17 Housing Code because there are approximately 30 items with the language of the Ordinance of concern. He is an owner of several properties within Canton and stated that 55% of the city's housing is rentals for investments because of the current housing market. He stated that he and other members of the association are professional housing providers not just landlords that are interested in helping Canton correct bad housing situations and foreclosure issue. They had met with Angela Cavanaugh previously to discuss the changes that need to take place with this Ordinance but what is being presented is not accurate as discussed. Bill Malloy is a member of the Ohio Architects and former Chief Building Inspector. He provides housing for over 100 individuals and has for the last 28 years. He thought that after the meeting with Ms. Cavanaugh that all would be winners, the City, the landlords, and the residents but many items are not included or worded correctly within the Ordinance as written today and it contains both loopholes and errors that prevent inspectors for doing what needs done with some of the houses in violation. He will donate any time needed to discuss the changes that need made to clean up this Ordinance prior to adopting it and feels that with all sides working together this could be accomplished in a week.

**MISCELLANEOUS BUSINESS:** Member West asking for copies of any proposed changes to the Housing Code Ordinance from the landlords/property owners for review before the committee meeting next week. Member Smuckler also request copies as a Member of the Judiciary committee and also asked of the Law Department what could legally be done to assist the people of Canton Township with the facility at the Ambassador Hotel. Assistant City Law Director Kris Bates stating that nothing could actually be done from a legal standpoint but that maybe the political influence of some Members of Council to some of the Canton Township trustees would be beneficial.

**ADJOURNMENT:** 8:12 P.M.

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, NOVEMBER 23, 2009 @ 7:30 PM**