

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

NOVEMBER 23, 2009

ROLL CALL: Eleven Council Members Present, One Absent (Member Kraus)

INVOCATION: Thomas West, Ward 2 Council Member

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#4 and 2nd Rdg O#5; O#4 Adopted on 1st Rdg; O#5 Adopted on 2nd Rdg; O#6 Retained in Cmte; O#7 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 ABSENT)
58. MAJORITY LEADER CASAR: ENCOURAGING THE DEV OF SISTER CITY AGMTS W/COMPATIBLE MUNICIPALITIES IN, BUT NOT LIMITED TO THE AKKO, ISRAEL & SALTILLO, MEXICO. - ADOPTED
59. SMITH, C., WARD 4 CNCLMBR: URGING OH DEPT OF REHABILITATION & CORRECTIONS NOT TO PLACE A HALFWAY HOUSE AT THE OLD AMBASSADOR MOTEL. - ADOPTED

COMMUNICATIONS:

489. AUDITOR MALLONN: CERTIFICATE OF TOTAL AMT FROM ALL SOURCES FOR 2009. - RECEIVED & FILED
490. DEPARTMENT OF ENERGY: ACKNOWLEDGMENT OF RECEIPT OF RESOLUTION SUPPORTING THE AMERICAN CLEAN ENERGY SECURITY ACT OF 2009. - RECEIVED & FILED
491. LAW DIRECTOR MARTUCCIO: AUTHORIZE SERV DIR TO ENTER INTO CONTRACT FR: 1/1/10 - 12/31/10 W/STARK CNTY PUB DEFENDER COMM FOR LEGAL SVCS FOR INDIGENTS CHARGED W/CITY ORD VIOLATIONS IN MUNI CT. - FINANCE COMMITTEE
492. LAW DIRECTOR MARTUCCIO: ADVISING OF OPPORTUNITY TO SETTLE FEDERAL LAWSUIT *TROY PIROLOZZI v. ERIC STANBRO, ET AL.* - RECEIVED & FILED
493. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO REC & ENTER INTO AGMT W/OH ENVIR PROTECTION AGENCY & THE OH WATER DEV AUTHORITY FOR AMERICAN RECOVERY & REINVESTMENT ACT FUNDS & WATER POLLUTION CONTROL LOAN FUNDS IN FORM OF A LOAN W/PRINCIPAL FORGIVENESS & A STANDARD LOAN; DESIGNATE & DEDICATE THE LOAN REPAYMENT SOURCE WILL BE CANTON'S CAP IMPROV FUND; AUTHORIZE CITY TO AWARD A CONSTRUCTION CONTRACT & FOR MAYOR &/OR SERV DIR TO EXECUTE CONTRACT; MAKE \$125,000.00 SUPP APPROP FR: UNAPPROP BAL OF 4561 HARMONT SANITARY SEWER EXT FUND GP 1071 TO: 4561-202032 HARMONT SANITARY SEWER EXT FUND GP 1071; AUTHORIZE AUDITOR TO DRAW HIS WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
494. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AGMT FOR PURCHASE OF A 12 ACRE TRACT OF LAND ADJACENT TO THE EXISTING MALLONN PARK; ESTABLISH FAIR MKT VALUE OF \$235,000.00 FOR PARCEL; ESTABLISH PURCHASE PRICE FOR PARCEL INCLUDING MINERAL RIGHTS OF \$246,750.00; ACKNOWLEDGE DONATION OF \$60,436.50 IN VALUE OF REAL PROP BY SELLER; ENTER INTO AGMT FOR PURCHASE OF SAID PARCELS W/CURRENT OWNER; AUTHORIZE MAYOR &/OR SERV DIR TO REC FUNDS IN AMT OF \$186,313.50 FROM CLEAN OH CONSERVATION FUND; RESERVE PARCEL FOR PURPOSES INCLUDING THE PRESERVATION OF WATER, FORESTRY & OTHER NATURAL RESOURCES AS WELL AS PASSIVE RECREATIONAL & EDUCATION ACTIVITIES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND O#55/77, AS AMENDED, ZONING; EMERGENCY (JOHN & DEBORAH LAW - 2015 E TUSC - PART OF OUTLOT 196 & PART OF LOT 6265 PARCEL 0234958)
Referred to Judiciary Committee **PUB HRG: 12/7/09 @ 7:30 P.M.**
- 1ST RDG 2. AMEND SEC 1157.02, PERMITTED USES, OF CODIFIED ORDINANCES (TRUCK TERMINALS)
Referred to Judiciary Committee **PUB HRG: 12/7/09 @ 7:31 P.M.**

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 3. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$12,000.00 TO SQUIRE, SANDERS & DEMPSEY LLP; EMERGENCY
Referred to Finance Committee

(COUNCIL RECESSED @ 7:59 P.M. FOR FINANCE COMMITTEE TO DISCUSS ADOPTION OF O#4; RECONVENED @ 8:04 P.M.)

- 225/2009 4. AUTHORIZE SERV DIR TO ENTER INTO LOCAL PUB AGENCY AGMTS W/STATE OF OH DEPT OF TRANSPORTATION &/OR OH RAIL DEV COMM FOR LOCAL INFRASTRUCTURE PROJECTS; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#5; O#5 ADOPTED; O#6 RETAINED IN CMTE)

- 226/2009 5. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING APPROP TRANSFER & VARIOUS SUPP APPROPS; EMERGENCY (JUDGES) _____ (FIN)

RETAINED

- IN CMTE 6. AMEND TITLE SEVEN, HOUSING STANDARDS, OF PART THIRTEEN - BUILDING CODE OF THE CODIFIED ORDINANCES (JUD)

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

- 227/2009 7. 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
- 228/2009 8. 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
- 229/2009 9. 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
- 230/2009 10. AMEND APPROP O#193/2008, AS AMENDED, BY MAKING VARIOUS APPROP TRANSFERS; EMERGENCY (YOUTH DEVELOPMENT)
- 231/2009 11. APPROVE & ACCEPT REPLAT OF PART OF OUT LOT 391; EMERGENCY (1325 17TH ST NE)
- 232/2009 12. APPROVE & ACCEPT REPLAT OF PART OF LOT 5339 & ALL OF LOTS 5340, 5341 & 5342; EMERGENCY (6TH ST SW EAST OF COOK AVE)
- 233/2009 13. APPROVE & ACCEPT REPLAT OF PART OF LOT 1505; EMERGENCY (900 BLOCK OF 10TH ST NE)

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

- 1) Judiciary Committee
- 2) Finance Committee

PUBLIC SPEAKS: Jason Scaglione re: Discussed the Countywide 911 System, would like to see it built in Canton; Ida Ross Freeman re: Would like to see a community plan for housing for the homeless. Stating that she thinks the sister City concept is great. Also asking where the weed and seed money is; Corey Minor Smith re: Requesting a collaborative effort in helping keep the Community Center Branch of the Stark County Library open. Asking everyone to provide personal suggestions to the Board of Trustees on December 15, 2009 at 5:00 at the main branch of the Stark County District Library; Mike Rukavina re: Stating that he and others have participated in a series of meetings with the Mayor's staff regarding Ordinance #6 and came to a mutual agreement for the amendments.

MISCELLANEOUS BUSINESS: Member Cirelli re: Stating that she is a member of the EX-NEWSBOYS and is selling tickets to a dinner for December 9th and all the proceeds go to clothe children in need. Also expressing dismay that bagged leaves are going to the landfill that the City has to pay tipping fees for, believes they should be recycled; Member Smith re: Stating that she is in support of the library staying open and will work on an Informal Resolution; President Schulman re: Expressing complete dismay over the unraveling of our community. Thinks Council and the citizens should be more informed. Asking for information once again about how many jobs will be created with the stimulus money the City has received; Robert Torres re: Stated that his department has been very cooperative with Council; President Schulman re: Expressed his appreciation for that but believes the public should also have access to this information; Law Director Martuccio re: Advising that the first two Project Labor Agreements are going to be the Court expansion and Council expansion and the expansion of the 25th Street Fire station.

ADJOURNMENT: 8:37 P.M.