

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

CANTON CITY COUNCIL

DECEMBER 14, 2009

ROLL CALL: Eleven Present, Member Horner Absent

INVOCATION: Terry Prater, Ward 5 Council Member

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#7 - O#12; O#6 Retained in Cmte; O#8, O#9 and O#10 Adopted on 2nd Rdg; 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. (MEMBER HORNER ABSENT)
63. CIRELLI, M, CNCL-AT-LARGE: COMMENDING SIA POPE FOR RETIREMENT FROM AMERICAN RED CROSS OF STARK COUNTY. - ADOPTED
64. SMUCKLER, B. CNCL-AT-LARGE: CONGRATULATING TRINITY GOSPEL TEMPLE FOR 45 YEARS OF SERVICE TO THE CANTON COMMUNITY. - ADOPTED

COMMUNICATIONS:

515. COUNCIL-AS-A-WHOLE: COMPENSATION DECREASES FOR CITY COUNCIL MEMBERS. - PERSONNEL & FINANCE COMMITTEES
516. HEALTH BENEFITS ADMIN MCBRIDE: NOV 2009 MONTHLY COMPARATIVE RPT - INS CLAIMS & JAN - NOV 2009 CLAIMS ACTIVITY. - RECEIVED & FILED
517. LAW DIRECTOR MARTUCCIO: REQ LEGISLATION TO EXECUTE EASEMENT FOR BRIDGE REPLACEMENT PROJ @ GUILFORD AVE NW FOR PIPE RELOCATION. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
518. MAYOR WILLIAM HEALY: ADVISE RE-APPT OF DANNY THOMPSON TO CANTON CITY PLANNING COMMISSION FOR SIX YR TERM COMMENCING 1/1/10 TO 12/31/15. - RECEIVED & FILED
519. MAYOR WILLIAM HEALY: AUTHORIZE APPT OF DONALD SINGER TO HARTFORD HOUTS POOR FUND FOR FIVE YR TERM RETRO DATE OF 11/1/09 - 10/31/14. - PERSONNEL COMMITTEE
520. SERVICE DIRECTOR PRICE: REQ PARTICIPATORY COOPERATIVE LEGISLATION W/ODOT FOR URBAN PAVING PROJ ON SR627, FAIRCREST ST. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
521. WEST, THOMAS, WARD 2 CNCLMBR: REQ LEGISLATION FOR CITY TO PURCHASE PROP @ 902 CHERRY AVE NE. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (ICAN HOUSING SOLUTIONS - OUT LOT # 1140, RICHMOND AVE) **PUB HRG 12/28/09 @ 7:30 P.M.**
Referred to Judiciary Committee
- 1ST RDG 2. AUTHORIZE MAYOR &/OR SERV DIR TO PURCHASE REAL PROP IN CONJUNCTION W/NEIGHBORHOOD STABILIZATION PROG; AUTHORIZING MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT FOR DEMO OF BLDG LOCATED ON PROP; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 3. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO JOB CREATION TAX INCENTIVE & NET PROFITS INCENTIVE AGMTS W/MEDLINE IND, INC.; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 4. APPROVE & ACCEPT REPLAT OF OUT LOTS 1306 & 1307; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 5. APPROVE & ACCEPT DEDICATION PLAT OF A PORTION OF HARMONT AVE & SLOPE EASEMENTS; APPROVE & ACCEPT REPLAT OF LOT 42587 & PART OF LOT 37251; EMERGENCY
Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#7 - O#12; O#6 RETAINED IN CMTE; O#8, O#9 AND O#10 ADOPTED ON 2ND RDG)

RETAINED

- IN CMTE** 6. AMEND TITLE SEVEN, HOUSING STANDARDS, OF PART THIRTEEN - BLDG CODE (JUD)
- 2ND RDG 7. AMEND TITLE FIVE - ADDT'L PUBLIC SVCS TO PART NINE - STREETS, UTILITIES & PUBLIC SVCS CODE OF CODIFIED ORDINANCES BY THE ADDITION OF CHAPTER 972, SPECIAL EVENTS (JUD)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 238/2009** 8. AUTHORIZE SETTLEMENT OF *TROY PIROLOZZI V. ERIC STANBRO, ET AL.*; AMEND APPROP O#193/2008, AS AMENDED, BY APPROPRIATING FROM THE UNAPPROP BAL & ALLOCATING SAME TO ITEM HEREIN DESCRIBED; EMERGENCY (FIN)
- 239/2009** 9. AUTHORIZE AUDITOR TO ENTER INTO AGMTS W/SQUIRES, SANDERS & DEMPSEY TO ISSUE A ONE YR BOND ANTICIPATION NOTE; EMERGENCY (*TROY PIROLOZZI V. ERIC STANBRO, ET AL*) (FIN)
- 240/2009** 10. AMEND APPROP O#193/2008, AS AMENDED BY MAKING VARIOUS SUPP APPROPS & INTERFUND TRANSFER; EMERGENCY (*TROY PIROLOZZI V. ERIC STANBRO, ET AL \$1,800,000.00*) (FIN)
- 2ND RDG** 11. AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONSTRUCTION CONTRACT FOR SHERRICK RD IMPROV PROJ, GP 1121; EXECUTE A PROF SVCS CONTRACT FOR CONSTRUCTION ENGINEERING SVCS W/OMNI PRO SVCS LLC; REC AMER RECOVERY & REINVESTMENT ACT FUNDS IN AMT OF \$1,500,000.00 FOR PROJ THRU ODOT TO FUND THE COST OF BOTH THE CONSTRUCTION & CONSTRUCTION ENGINEERING CONTRACTS; AUTHORIZE AUDITOR TO ESTABLISH THE 4559 SHERRICK RD IMPROV FUND GP 1121; AMEND APPROP O#193/2008; EMERGENCY (FIN & PS&T)
- 2ND RDG** 12. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AGMTS FOR GRANTS W/US DEPT OF ENERGY & AEP TO RECEIVE THE SUBSEQUENT GRANTS; ENTER INTO PROF SVCS CONTRACT WITH URS CORP FOR COMPLETION OF A COMPREHENSIVE DETAILED ENERGY AUDIT IN AMT NOT TO EXCEED \$75,000.00; ADVERTISE, REC BIDS & ENTER INTO VARIOUS MATERIALS, SUPPLIES & CONSTRUCTION CONTRACTS NEEDED TO CONSTRUCT IMPROV PROJ &/OR ENTER INTO CONTRACTS FOR PURCHASE OF MATERIALS & SUPPLIES PURSUANT TO REV CODE SECTIONS 125.04 & 5513.01; AUTHORIZE AUDITOR TO ESTABLISH THE 2236 ENERGY EFFICIENCY & CONSERVATION GRANT FUND; AMEND APPROP O#193/2008; EMERGENCY (FIN & E&PU)

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

- 241/2009** 13. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/STARK COUNTY PUBLIC DEFENDER COMMISSION FOR THE PROVISION OF LEGAL SVCS TO INDIGENTS; EMERGENCY
- 242/2009** 14. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AGMT W/OHIO EPA & OHIO WATER DEVELOPMENT AUTHORITY FOR ARRA FUNDS & WATER POLLUTION CONTROL LOAN FUNDS ; DESIGNATING 4501 CAPITAL IMPROVEMENT FUND AS LOAN REPAY SOURCE; AUTHORIZE AWARD OF CONSTRUCTION CONTRACT & MAYOR &/OR SERV DIR TO EXECUTE SAID CONTRACT; AMEND APPROP O#193/2008; EMERGENCY

AMENDED

- 243/2009** 15. AUTHORIZE MAYOR &/OR SERV DIR TO PURCHASE A 12 ACRE TRACT OF LAND INCLUDING MINERAL RIGHTS IN AMT NOT TO EXCEED \$186,313.50; ACCEPT DONATION OF REAL PROPERTY IN AMT OF \$60,436.50; ENTER INTO AGMT TO PURCHASE SAID PARCEL; RCV FUNDS IN AMT OF \$186,313.50 FROM CLEAN OHIO CONSERVATION FUND FOR PURCHASE OF SAID PARCEL; RESERVE THE PARCELS FOR PRESERVATION PURPOSES & PASSIVE RECREATIONAL & EDUCATION ACTIVITIES; EMERGENCY AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$12,000.00 TO SQUIRE, SANDERS & DEMPSEY LLP; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, DECEMBER 21, 2009 in Council Caucus @ 6:30 P.M.**

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

PUBLIC SPEAKS: Pastor C. David Morgan congratulating Member Casar for the years of focused service to the community and commending Member Dougherty for moving the Council forward and into the Chamber for committee meetings. He presented Member Casar with a holiday gift. John Swartz provided a history lesson for the Frank T. Bow building and stated that visionary people can take history and turn it into progress which creates jobs. He discussed the different buildings and architecture throughout downtown Canton at the turn of the century. Leon Cote commending Member Dougherty for bringing the committee meetings into the Chamber after the first of the year. 30 years ago Councilman Robert Capestrain introduced the Public Speaks portion of Council meetings because all Council items were meant to be heard by the public. Leon also asking Council Members to consider adding another portion to the agenda regarding the answering of questions asked in Public Speaks from the previous weeks to get department heads to address issues requested at the podium and provide follow up. Joyce Sumlin congratulations to Member Dougherty and giving a bittersweet farewell to Member Kraus and Member Casar. She knows these are trying times for all but thanks the administration for providing turkeys to her organization and also thanked Director Torres for sharing his time on the weekends and Law Director Martuccio for his help with everything.

MISCELLANEOUS BUSINESS: Member Cirelli speaking on the visionaries and stating the federal government voted today to freeze Social Security and gave all the federal employees a 2% raise. Member West thanked the Engineering Dept for putting up the lights around the gazebo at Nimisilla Park today.

ADJOURNMENT: 8:15 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, DECEMBER 21, 2009 @ 7:30 PM