

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

CANTON CITY COUNCIL

NOVEMBER 8, 2010

**ROLL CALL:** Ten Members Present

**MOTION TO EXCUSE MEMBERS:** Member Barton and Member Butterworth Absent

**INVOCATION:** Brian Horner, Ward 9 Council Member

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

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#10 - O#11; O#12, O#13, O#14, O#15, O#16, O#19 & O#20 Adopted as Amended)

**PUBLIC HEARINGS:** None

**OLD BUSINESS:** None

**PUBLIC SPEAKS (CITY BUSINESS):** Patricia Kirk re: Reminding everyone of the invitation to the Tree Commission Academy's graduation on December 3<sup>rd</sup> at 1:00 PM. Also reminding that Canton will be hosting the Tree Commission Academy in 2010; Kathryn Ramsey re: Stating her dissatisfaction with the demolition companies that are going out and opening vacant homes and taking anything salvageable then leaving homes unsecured for weeks; Jennifer Lewis re: Stating that crime is definitely not down in the Gibbs area. Asking where the City is on the cameras that have been discussed for sometime now.

**INFORMAL RESOLUTIONS:**

54. COUNCIL AS A WHOLE: CONGRATULATING JASON BROWN FOR BEING NAMED 2010 FIREFIGHTER OF THE YEAR. - ADOPTED
55. COUNCIL AS A WHOLE: CONGRATULATING BILL MATTHEWS FOR BEING NAMED 2010 FIREFIGHTER OF THE YEAR. - ADOPTED

**COMMUNICATIONS:**

428. AUDITOR MALLONN: MONTHLY RPT BY FUND 10/1/10 - 10/29/10. - RECEIVED & FILED
429. AUDITOR MALLONN: YEARLY RPT BY FUND 1/2/10 - 10/29/10. - RECEIVED & FILED
430. COMMUNITY DEV DIRECTOR WILLIAMS: ESTABLISH FAIR REUSE VALUE OF REAL PROPERTY & AUTHORIZE DISPOSITION OF SAID PROPERTY (ALBERT & FRANCES SIMIA - PARCEL 02-14244 ON KENNET COURT NW). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
431. COMMUNITY DEV DIRECTOR WILLIAMS: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/STARK COMM FOUNDATION TO PROVIDE GRANT UTILIZING CDBG FUNDS IN AN AMT NOT TO EXCEED \$50,000.00 FOR NEIGHBORHOOD PARTNERSHIP GRANT PROG FOR NEIGHBORHOOD ASSOCIATIONS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
432. FINANCE CHAIRMAN HAWK: REQ A DETAILED LIST OF ALL POSITIONS THAT HAVE BEEN REDUCED BY ATTRITION, BUY-OUTS OR RETIREMENT FROM ADMINISTRATION. - RECEIVED & FILED
433. HAWK, G. WARD 1 CNCLMBR: REQ ADOPTION OF INFORMAL RESOLUTION FORMING A JOINT COMMITTEE FOR 90 DAYS FOR PURPOSE OF STUDYING & EXPLORING POSSIBILITY OF EXTENDING WATER SVC AGMTS TO NEW CUSTOMERS. - RECEIVED & FILED
434. LIQUOR CONTROL DIVISION (OHIO): REQ D2 LIQ PERMIT FOR FRATERNAL ORDER ORIOLES CANTON NEST 315 INC & PATIO @ 3151 MAHONING RD NE SUITE 1. - RECEIVED & FILED
435. SERVICE DIRECTOR PRICE: REQ PARTICIPATORY COOPERATIVE LEGISLATION W/ODOT THAT WILL ALLOW ODOT TO CONDUCT AN URBAN PAVING PROJ ON US-30. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
436. SERVICE DIRECTOR PRICE: REQ PARTICIPATORY COOPERATION LEGISLATION W/ODOT THAT WILL ALLOW ODOT TO CONDUCT AN URBAN PAVING PROJ ON I-77. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
437. SERVICE DIRECTOR PRICE: REQ APPROVAL OF A WATER MAIN EXTENSION TO SVC A NEW SARTA TRANSIT STATION @ 4700 WHIPPLE AVE NW. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
438. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AGMT FOR PURCHASE OF 11.88 ACRE TRACT OF LAND ADJACENT TO THE EXISTING NATURE PRESERVE & VARIOUS OTHER REQUESTS FOR LEGISLATION REGARDING SAID PROPERTY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

**COMMUNICATIONS CONTINUED:**

439. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ENTER INTO A PROF SVCS AGMT FOR FULL MGMT OF THURMAN MUNSON MEM STADIUM W/NON-PROFIT OHIOMSBL MGMT GROUP LLC COMMENCING 1/1/11 FOR 5 YRS W/A MUTUAL OPTION TO RENEW CONTRACT FOR ADDT'L 5 YRS. - FINANCE COMMITTEE
440. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO AMEND PENDING ORDINANCE #3 IN 1<sup>ST</sup> RDG ON 11/8/10 AGENDA. - RECEIVED & FILED
441. SERVICE DIRECTOR PRICE: AUTHORIZE LAW DEPT TO REVISE SECTION 357.04 OF CODIFIED ORDINANCES REGARDING EMERGENCY SNOW ROUTES. - JUDICIARY COMMITTEE
442. TREASURER SCHIRACK: REQ AMENDMENT TO SECTION 181.08(e) OF CODIFIED ORDINANCES TO ALLOW MAILING TO TAXPAYERS BY 1/30 EACH YR A TAX RETURN OR EXPLANATORY NOTICE OF OBLIGATION ADVISING OF THE DUTY UNDER THIS CHAPTER TO FILE A CITY INCOME TAX RETURN & OF THE DEADLINE FOR FILING. - JUDICIARY COMMITTEE
443. TREASURER SCHIRACK: RPT OF CASH RECEIPTS FILED AS OF 10/31/10. - RECEIVED & FILED
444. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR OCTOBER 2010. - RECEIVED & FILED
445. TREASURER SCHIRACK: RPT OF DEPOSITS & PAY INS FOR AMBULANCE LOCK BOX ACCT FOR OCTOBER 2010. - RECEIVED & FILED
446. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS & OUTSTANDING INVESTMENTS AS OF OCTOBER 29, 2010. - RECEIVED & FILED

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

- 1<sup>ST</sup> RDG 1. AUTHORIZE CITY TO ACCEPT DONATION OF REAL PROP FROM DEBORAH LANAM (PARCEL #02-12934 - ON 25<sup>TH</sup> ST NE)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 2. ESTABLISH FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROP; AUTHORIZE SALE & CONVEYANCE OF SAID PROP PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (GARY PENDLETON - PARCEL #02-06484 - ON 4<sup>TH</sup> ST SE)  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 3. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING SUPP APPROPS & APPROP TRANSFERS; EMERGENCY (FOR CITY'S CONTINUING OPERATIONS - POLICE & FIRE)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 4. AUTHORIZE SAF DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR PURCHASE OF A VEHICLE LIFT FOR THE FIRE DEPT; AUTHORIZE SAF DIR TO ALTERNATIVELY PURCHASE VEHICLE LIFT PURSUANT TO STATE COOP PURCHASING AGMT; EMERGENCY  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG 5. AUTHORIZE SAF DIR TO ENTER INTO PROF SVCS CONTRACT W/ANGELA CAVANAUGH TO SERVE AS CITY'S CHIEF BLDG OFFICIAL IN AMT NOT TO EXCEED \$105,818.00; EMERGENCY  
Referred to Finance & Personnel Committees
- 1<sup>ST</sup> RDG 6. AUTHORIZE SAF DIR TO ENTER INTO PROF SVCS CONTRACT W/PHILIP SEDLACKO FOR ANIMAL CONTROL SVCS FOR CITY IN AMT NOT TO EXCEED \$26,400.00; EMERGENCY  
Referred to Finance & Personnel Committee
- 1<sup>ST</sup> RDG 7. AMEND SUBSECTION (B) OF SECTION 129.02, FEE FOR OFF-DUTY POLICE & CRUISERS; OF THE CODIFIED ORDINANCES  
Referred to Judiciary & Finance Committees
- 1<sup>ST</sup> RDG 8. AUTHORIZE SAF DIR TO ENTER INTO LEASE AGMTS W/STARK COUNTY COMMISSIONERS & THE CANTON REGIONAL CHAMBER OF COMMERCE FOR PURPOSE OF UTILIZING CITY OWNED PARKING SPACE; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 9. AMEND CHAPTER 961, STORM WATER MGMT, OF PART NINE - STREETS, UTILITIES & PUBLIC SVCS CODE OF THE CODIFIED ORDINANCES  
Referred to Judiciary Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD O#10 - O#11)**

- 2<sup>ND</sup> RDG 10. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING VARIOUS SUPP APPROPS & APPROP TRANSFERS; EMERGENCY (FOR CITY'S CONTINUED OPERATION)

(FIN)

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

2<sup>ND</sup> RDG 11. \_\_\_ AUTHORIZE THE SETTLEMENT OF NL CONSTRUCTION CO. VS CITY OF CANTON;  
EMERGENCY (COMMON PLEAS CASE #2007CV02675) (FIN)

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

205/2010 12. AMEND SECTION 105.07, GRANT & LOAN APPLICANT REQUIREMENTS OF CODIFIED ORDINANCES OF THE CITY OF CANTON

**AMENDED AS**

206/2010 13. \_\_\_ ESTABLISH THE FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROP; AUTHORIZE SALE & CONVEYANCE OF SAID PROP PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (MILAN DOLANSKI - PARCEL #02-33562 ON 15<sup>TH</sup> ST NW)

**AMENDED AS**

207/2010 14. \_\_\_ ESTABLISH THE FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROP; AUTHORIZE SALE & CONVEYANCE OF SAID PROP PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (DAVID & BEVERLY BROOKSHIRE - PARCEL #02-01291 ON LAWRENCE RD NE)

**AMENDED AS**

208/2010 15. ESTABLISH THE FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROP; AUTHORIZE SALE & CONVEYANCE OF SAID PROP PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (LEMMEL & MARY DOTSON - PARCEL #02-35106 ON ROWLAND AVE NE)

**AMENDED AS**

209/2010 16. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING THE SUPP APPROP HEREIN DESCRIBED; EMERGENCY (\$117,000.00 - 2328 PHEP - HEALTH DEPT)

210/2010 17. \_\_\_ AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$140.83 TO BLACK, MCCUSKEY, SOUERS & ARBAUGH; EMERGENCY (CITY'S WORKERS' COMP CLAIMS)

211/2010 18. \_\_\_ AUTHORIZE MAYOR TO ENTER INTO PROF SVCS CONTRACT W/BLACK, MCCUSKEY, SOUERS & ARBAUGH IN AMT NOT TO EXCEED \$30,000.00 TO PROVIDE SPECIALIZED LEGAL ASS'T W/WORKERS' COMP CASES; AMEND APPROP O#1/2010; EMERGENCY

**AMENDED AS**

212/2010 19. \_\_\_ APPROVE & ACCEPT THE REPLATTING OF OL 576, PART OF LOT 27553 & ALL OF LOTS 27551 & 27552; EMERGENCY (STARK COUNTY COMMUNITY ACTION AGENCY - MAHONING RD NE)

**AMENDED AS**

213/2010 20. APPROVE & ACCEPT THE REPLATTING OF ALL OF OLS 1294 & 1295; EMERGENCY (BRUENNING SHEPLER & ASSOC - BELDEN AVE SE)

214/2010 21. AUTHORIZE AUDITOR TO PAY \$26,404.52 TO MOTOROLA FOR CITY'S PORTION OF MAINTENANCE AGMT FOR 800 MHZ COMMUNICATION EQUIPMENT; EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, NOVEMBER 15, 2010 in Council Chamber at 6:15 P.M.**

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 3) Judiciary Committee
- 4) Public Property Capital Improvement Committee
- 5) Personnel Committee

**MISCELLANEOUS BUSINESS:** Member Cirelli re: Relaying that Ken Weber, head of the Goodwill Community Campus would like all of Council and the President of Council to come there for a tour of the facility; Member Hawk re: Discussed his experience and dismay with the demolition companies tearing the boards off vacant homes and leaving them wide open causing the City to have to re-secure the homes at their expense; Member West re: Inviting everyone to the Gibbs Area Involved Neighborhood meeting on November 16, 2010 at 6:30 P.M. Also discussed a communication he received from Chief McKimm regarding the cameras. Lastly, thanking Member Hawk and the Canton Police Department for bringing Police Officers to the Gibbs area; Law Director Martuccio re: Paying a moment of respect to the late Art Cirelli; President Schulman re: Discussed Communication #433 and the creation of a Water Commission.

**ADJOURNMENT:** 8:21 P.M.

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, NOVEMBER 15, 2010 @ 7:30 PM**