

FINAL
AGENDA
7:30 PM

CANTON CITY COUNCIL

NOVEMBER 22, 2010

ROLL CALL: Twelve Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Terry Prater, Assistant Majority Leader

PLEDGE OF ALLEGIANCE: Led by President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#5 - O#16; O#17 - O#215/2010 Reconsidered and Adopted as Amended)

PUBLIC HEARINGS: None

OLD BUSINESS: Reviewed Pending Issues from Public Speaks

PUBLIC SPEAKS (CITY BUSINESS): John Swartz re: Asking everyone to try to attend First Friday on December 3rd where Charles Macauley, one of Canton's greatest will be featured; Bob Brezeal re: Handed out invitations to a holiday dinner by The Fairgrounds Residential Neighborhood Association on December 12th.

INFORMAL RESOLUTIONS:

57. COUNCIL AS A WHOLE: CONGRATULATING REVEREND WILLIAM WALLACE LUKE & REVEREND RHODA LUKE ON THEIR RETIREMENT. - ADOPTED

COMMUNICATIONS:

454. BRYANT, CHANDRA, APPLICANT: APPLICATION FOR ALLEY VACATION OF JANET COURT SE BETWEEN EAST TUSC ST & 2nd ST SE, APPROX 80 FEET IN LENGTH (COMMUNITY TREATMENT & CORRECTION CENTER, INC). - PLANNING COMMISSION

455. CANTON PARK COMMISSION: SUPPORTING THE EFFORT TO PURCHASE AN 11.88 ACRE TRACT THAT WOULD BE PURCHASED VIA A CLEAN OH CONSERVATION FUND GRANT & ADDED TO THE AREA NOW KNOWN AS THE FAIRHOPE NATURE PRESERVE. - RECEIVED & FILED

456. DEVELOPMENT DIRECTOR TORRES: REQ \$174,952.78 SUPP APPROP TO NEW HORIZONS PARK FUND TO REIMBURSE MONIES ADVANCED FOR THE NEW HORIZONS PARK PROJECT. - FINANCE COMMITTEE

457. HOF REAL ESTATE LLC, APPLICANT: APPLICATION FOR ZONE CHANGE @ 2600 25TH ST NE TO PB-4 (SPECIAL BUSINESS) TO CONVERT PROPERTY INTO A FAMILY ENTERTAINMENT CENTER. - PLANNING COMMISSION

458. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED ZONE CHANGE FOR PART OF OL 733 (2699 ROBERTS AVE NW, PARCEL #02-46927) FROM PB-4 (PLANNED SPECIAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) TO ACCOMMODATE A NEW DEVELOPMENT PLAN FROM ONE PREVIOUSLY AGREED TO IN A PREVIOUS ZONE CHANGE. (CONSTRUCTION OF 270 STORAGE UNITS IN 5 BLDGS) IN WARD 7. - JUDICIARY COMMITTEE

459. PRATER, T, WARD 5 CNCLMBR: REQ LAW DEPT TO RESEARCH & CREATE LEGISLATION FOR PLACEMENT OF PONDS IN RESIDENTIAL YARDS. - JUDICIARY COMMITTEE

460. SAFETY DIRECTOR REAM: REQ LEGISLATION PURSUANT TO ORC 4511.21(1)(2) TO REQ DIR OF ODOT TO DETERMINE & PROPERLY POST SPEED LIMITS ON I-77 WITHIN CORP LIMITS OF CITY FROM (APPROX) THE BRIDGE OVER THE WEST BANK OF THE NIMISHILLEN CREEK TO THE NORTHERN CORPORATE LIMITS THAT THE SAFE & REASONABLE PRIMA FACIA SPEED LIMIT IS 65 MPH. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

461. SERVICE DIRECTOR PRICE: REQ \$410,574.59 CHANGE ORDER TO AMEND CONTRACT THAT CITY HAS W/ENVIRONMENTAL MGMT SVCS (REMEDIAION CONTRACTOR FOR THE BISON REMEDIATION PROJ (MONIES FROM THE CLEAN OH REV FUND GRANT). - FINANCE COMMITTEE

462. SERVICE DIRECTOR PRICE: REQ TO ENTER INTO INTERAGENCY AGMT W/SARTA FOR CONSTRUCTION OF VARIOUS TRANSIT RELATED IMPROVEMENTS ALONG TRANSIT ROUTE GENERALLY KNOWN AS SARTA's "MAHONING ROAD ROUTE" SPECIFICALLY INCLUDES PORTIONS OF WALNUT AVE, CHERRY AVE, 12TH ST NE, MAHONING RD & HARMONT AVE; AUTHORIZE MAYOR &/OR SERV DIR TO EXECUTE AGMTS W/SARTA, ODOT & THE FEDERAL TRANSIT ADMINISTRATION; AUTHORIZE MAYOR &/OR SERV DIR TO EXEC AGMTS W/SARTA, ODOT & FTA AS WELL AS OTHER

CONTINUED:

CONSULTING ENGINEERING CONTRACTS AS NEEDED;
AUTHORIZE MAYOR &/OR SERV DIR TO APPLY FOR,
ENTER INTO AGMT FOR & REC VARIOUS OTHER GRANT
SUCH AS OH DEPT OF NATURAL RESOURCES GRANTS
THAT MAY ASSIST THE CITY IN OFFSETTING OUR 20%
SHARE OF THE COST OF THIS PROJ. - FINANCE
COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING \$608,000.00 SUPP APPROP TO 2214 506001 COMM DEV FUND - OTHER; EMERGENCY
Referred to Community & Economic Development & Finance Committees
- 1ST RDG 2. AMEND SECTION 181.14, ALLOCATION OF FUNDS, OF THE CODIFIED ORDINANCES; EMERGENCY
Referred to Judiciary Committee
- 1ST RDG 3. AMEND O#170/2010; EMERGENCY (THURMAN MUNSON MEMORIAL STADIUM)
Referred to Judiciary & Finance Committees
- 1ST RDG 4. AUTHORIZE SERV DIR TO ENTER INTO PROF SVCS AGMT W/SMG - WORLDWIDE ENTERTAINMENT & CONVENTION VENUE MGMT FOR OPERATION OF CANTON MEM CIVIC CENTER; AUTHORIZE AUDITOR TO ESTABLISH THE 2435 CIVIC CENTER - SMG PROJ FUND; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#5 - O#16)

- 2ND RDG 5. AMEND TITLE SEVEN, HOUSING STANDARDS, OF PART THIRTEEN - BUILDING CODE OF THE CODIFIED ORDINANCES (IPMC) (JUD)
- 2ND RDG 6. VACATE A PORTION OF HAZLETT AVE NW; EMERGENCY (HISTORICAL SOCIETY)
_____(PS&T) **PUB HRG 11/29/10 @ 7:31 P.M.**
- 2ND RDG 7. AMEND ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (3751 BURRSHIRE DR NW) (JUD) **PUB HRG 11/29/10 @ 7:32 P.M.**
- 2ND RDG 8. 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 (ALBERT & FRANCES SIMIA - PARCEL # 02-14244 ON KENNET CT NW) (C&ED)
- 2ND RDG 9. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/STARK COMMUNITY FOUNDATION TO PROVIDE GRANT IN AMT NOT TO EXCEED \$50,000.00; EMERGENCY (NEIGHBORHOOD GROUPS) (C&ED)
- 2ND RDG 10. AUTHORIZE & CONSENTING TO RESURFACING OF US 30 FROM SR 43 TO EASTERN CORP LINE & CONCRETE OVERLAY ON BRIDGE AT BELDEN AVE OVER US 30; EMERGENCY (PS&T)
- 2ND RDG 11. AUTHORIZING & CONSENTING TO REHABILITATION AND RESURFACING OF I-77 FROM THE CITY'S SOUTHERN LIMITS TO JUST NORTH OF SR 800 WITHIN THE CITY OF CANTON; EMERGENCY (PS&T)
- 2ND RDG 12. APPROVING A CANTON CITY WATER MAIN EXTENSION TO PLAIN TWNSP; AUTHORIZE SERV DIR TO ENTER INTO CONTRACT FOR THE EXTENSION OF SAID WATER MAIN; EMERGENCY (E&PU)
- 2ND RDG 13. ESTABLISH FAIR MARKET VALUE OF REAL PROP; ESTABLISH PURCHASE PRICE OF PARCEL INCLUDING MINERAL RIGHTS OF \$92,500.00; AUTHORIZE CITY OF CANTON TO ACCEPT DONATION OF \$27,500.00 IN VALUE OF REAL PROP; AUTHORIZING SERV DIR TO ENTER INTO AGMT FOR PURCHASE OF SAID PARCELS; AUTHORIZE MAYOR &/OR SERV DIR TO APPLY FOR, ENTER INTO AGMT & REC FUNDS IN AMT OF \$92,500.00 FROM THE CLEAN OHIO CONSERVATION FUND; RESERVE THE PROP FOR PURPOSES OF PRESERVATION OF WATER, FORESTRY AND OTHER NATURAL RESOURCES; AUTHORIZE THE CITY ENGINEER TO GENERAL CONTRACT THE DEVELOPMENT OF TRAILS, PARKING AREAS & PARK FACILITIES THROUGH THE USE OF CITY FORCES &/OR LOCAL CONTRACTORS AND SUPPLIERS; EMERGENCY (PPCI)
- 2ND RDG 14. AUTHORIZE SERV DIR TO ENTER INTO A PROF SVC AGMT FOR FULL MGMT OF THURMAN MUNSON MEMORIAL STADIUM WITH NON-PROFIT OHIOMSBL MGMT GROUP LLC; EMERGENCY (FIN)
- 2ND RDG 15. AMEND SECTION 357.04 STREETS ON WHICH PARKING IS PROHIBITED DURING SNOW EMERGENCY OF THE CODIFIED ORDINANCE OF CITY OF CANTON (JUD)
- 2ND RDG 16. AMEND SECTION 181.08, DUTIES OF TREASURER AND INCOME TAX DIRECTOR, OF THE CODIFIED ORDINANCES OF CITY OF CANTON; EMERGENCY (JUD)

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

RECONSIDERED AND AMENDED

- 215/2010 17. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING VARIOUS SUPP APPROPS & APPROP TRANSFERS; EMERGENCY (FOR CITY'S CONTINUED OPERATION)

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

- 217/2010** 18. AUTHORIZE CITY TO ACCEPT DONATION OF REAL PROP FROM DEBORAH LANAM (PARCEL #02-12934 - ON 25TH ST NE)
- 218/2010** 19. 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 4TH ST SE)
- 219/2010** 20. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING SUPP APPROPS & APPROP TRANSFERS; EMERGENCY (FOR CITY'S CONTINUING OPERATIONS - POLICE & FIRE)
- 220/2010** 21. 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
- 221/2010** 22. 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
- 222/2010** 23. 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
- 223/2010** 24. AMEND SUBSECTION (B) OF SECTION 129.02, FEE FOR OFF-DUTY POLICE & CRUISERS; OF THE CODIFIED ORDINANCES
- 224/2010** 25. 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
- 225/2010** 26. AMEND CHAPTER 961, STORM WATER MGMT, OF PART NINE - STREETS, UTILITIES & PUBLIC SVCS CODE OF THE CODIFIED ORDINANCES

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, NOVEMBER 29, 2010 in Council Chamber at 6:30 P.M.**

- 1) Finance Committee
- 2) Judiciary Committee
- 3) Community & Economic Development Committee

MISCELLANEOUS BUSINESS: Mayor Healy re: Relayed a message to David Armstead; Member Smith re: Stating that she found someone's cell phone.

ADJOURNMENT: 8:24 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, NOVEMBER 29, 2010 @ 7:30 PM