

FINAL
AGENDA
7:30 P.M.

CANTON CITY COUNCIL

SEPTEMBER 24, 2007

ROLL CALL: 11 Councilmembers Present, 1 Absent (Kelly Zachary)

NVOCATION: Thomas West, Ward 2 Councilmember

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#9-19; Retained in Cmte O#17; Amended O#23 & #26)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

MAJORITY LEADER DON CASAR:

EXCUSING MEMBERS. (ZACHARY)

69. COUNCIL OF THE WHOLE:

SUPPORTING THE FIRST ANNUAL 'AHIMSA WALK'. - ADOPTED

70. COUNCIL OF THE WHOLE:

AUTHORIZE SERV DIR TO MAKE AVAILABLE USED 'LINCOLN HIGHWAY' CONSTRUCTION BRICKS FOR PRESERVATION OF HISTORICAL VALUE. - ADOPTED

71. WEST, T. WARD #2, COUNCILMBR:

COMMENDING RSVP FOR CONTRIBUTIONS TO COMMUNITY. - ADOPTED

72. WEST, T. WARD #2, COUNCILMBR:

REQUESTING STREET LIGHT ON EXISTING POLE #796B1-15 BETW 207 ORCHARD AVE. & 309 ORCHARD AVE. NE. - ADOPTED

COMMUNICATIONS:

506. LIQUOR CONTROL DIV. (OHIO):

REQ TRANSFER D1 D2 D3 D3A LIQ PERMIT FR: HOLIDAY BAR & LOUNGE INC. TO STERN & MANN BAR & GRILLE LLC DBA STERN & MANN BAR & GRILLE @ 101 CLEVE AVE., NW ST #100. - RECEIVED & FILED

507. LIQUOR CONTROL DIV. (OHIO):

REQ TRANSFER C1 C2 LIQ PERMIT FR: R & S CONVENIENT MART INC TO A & K LUCKY STAR INC. DBA B & B SUPERMARKET @ 636 CHERRY AVE., NE. - RECEIVED & FILED

508. LIQUOR CONTROL DIV (OHIO):

ADVISING OF LEGISLATIVE OBJECTION OVERRULED FOR RENEWAL APP TO BP PROD N AMERICA INC. DBA BP FOOD MART 5896 @ 1200 N MK STR & GAS PUMPS. - RECEIVED & FILED

509. SAFETY DIRECTOR HUNT:

REQ \$1,843.45 SUPP APPRO TO 2769 & 2773 BYRNE MEM GRANT FOR CANTON POL DEPT. - FINANCE COMMITTEE

510. SERVICE DIRECTOR CONCATTO:

SUBMTG LIST OF DELINQUENT WATER & SEWER CHGS FOR CERTIFICATION TO PROPERTY; REQ CERTIFICATION AS EMERGENCY MEASURE BY 9/28/07. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE

511. SERVICE DIRECTOR CONCATTO:

REQ APPROVAL OF WATER MAIN EXTEN FOR THE CANSOMED FACILITY LLC ON CLEVE AVE., SW IN CANTON TWP. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE

512. SERVICE DIRECTOR CONCATTO:

REQ SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT W/RECYCLING FOR CITY OF CANTON'S CURBSIDE RECYCLING PROG. - FINANCE & RECYCLING COMMITTEES

513. SERVICE DIRECTOR CONCATTO:

SUBMTG \$29,642.00 EMERGENCY REPAIR PRICE FOR 300 HP MOTOR FR: 3-D SVC @ WATER DEPT. - RECEIVED & FILED

514. SERVICE DIRECTOR CONCATTO:

REQ SERV DIR TO ENTER INTO \$3,900.00 MODIFICATION FEE W/COOPER & ASSOC LLP FOR STEIN INDUSTRIAL PK PROJ TO INCORPORATE COST-SAVING MEASURES. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMENDING O#241/2006 TO MAKE \$20,332.00 SUPP APPRO FR: UNAPP BAL OF 2318 HIV PREVENTION FUND IN HEALTH DEPT; EMERGENCY
Referred to Finance Committee
- 1ST RDG 2. APPROVING & ACCEPTING REPLAT OF OL#1115 & LT #42337; EMERGENCY (Walmart-Atlantic Blvd)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 3. APPROVING & ACCEPTING REPLATTING OF OL#1174; EMERGENCY (Walmart-W. Tusc))
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 4. APPROVING & ACCEPTING REPLATTING OF PART OF OL#799; EMERGENCY (Cafaro Co.-Atlantic Blvd)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 5. APPROVING & ACCEPTING REPLATTING OF LOTS #22387, 22388, 39984 & 39985; EMERGENCY
Referred to Public Safety & Thoroughfares Committee (United Hard Chrome-Division Rd. NE)
- 1ST RDG 6. APPROVING & ACCEPTING FINAL RECORD PLAT FOR STEIN INDUSTRIAL PARK; EMERGENCY
Referred to Public Safety & Thoroughfares Committee (Belden Avenue SE)

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING - CONTINUED:

- 1ST RDG 7. AMENDING O#241/2006 TO MAKE \$5,617.95 SUPP APPRO FR: UNAPP BAL OF 2111 STREET MAINT; EMERGENCY
Referred to Finance Committee
- 1ST RDG 8. AUTHORIZING SERV DIR TO ENTER INTO \$24,711.40 W/MOTOROLA INC TO PURCHASE 6 RADIOS & RELATED EQUIP FOR HEALTH DEPT; EMERGENCY
Referred to Public Property Capital Improvement and Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#9-19; O#17 Retained in Cmte**

- 2ND RDG 9. VACATING PORTION OF MULBERRY RD SE; EMERGENCY **PUB. HRG. 10/1/07 @ 7:30 PM**
(PS&T)
- 2ND RDG 10. VACATING PORTION OF LUTHER PL NE; EMERGENCY **PUB. HRG. 10/1/07 @ 7:31 PM**
(PS&T)
- 2ND RDG 11. VACATING PORTION OF DESERT INN CT NW; EMERGENCY **PUB. HRG. 10/1/07 @ 7:32 PM**
(PS&T)
- 2ND RDG 12. AUTHORIZE CITY TO ACCEPT DONATION OF REAL PROP FROM SOPHIE MANOS; EMERGENCY (LOT #8418 ON 10TH ST NE) (C&ED)
- 2ND RDG 13. AUTHORIZE CONVEYANCE OF CITY OWNED REAL PROP TO FREED HOUSING CORP; EMERGENCY (C&ED)
- 2ND RDG 14. ESTABLISH FAIR MKT VALUE OF 1 PARCEL OF CITY-OWNED PROP; AUTHORIZE SALE & CONVEYANCE OF SAID PROP PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (LOT# 24200 ON 22ND ST NE) (C&ED)
- 2ND RDG 15. AMEND EXHIBIT A TO O#164/2001, AS AMENDED, THE CLASSIFICATION PLAN & SALARIES FOR ALL MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES OF CITY OF CANTON; EMERGENCY (PIROLOZZI VS. STANBRO, ET AL) (PERS)
- 2ND RDG 16. AMEND SEC 127.03, VEHICULAR SELF-INSURED FUND, & SEC 127.04, CLAIMS & JUDGMENTS, OF THE CODIFIED ORDINANCES (JUD)

RETAINED IN CMTE

17. AMEND EXHIBITS A & B TO O#164/2001, AS AMENDED, THE CLASSIFICATION PLAN & SALARIES FOR ALL MGMT & NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; REPEALING SEC 151.22, PERS PICKUP, OF THE CODIFIED ORDINANCES; EMERGENCY (PERS & FIN)
- 2ND RDG 18. AMEND O#241/2006, AS AMENDED, BY MAKING THE SUPP APPROP OF \$5,666.99 FR: UNAPP BAL OF THE 4502 MOTOR VEHICLE PURCHASE FUND TO: 4502 10-30-01 MOTOR VEHICLE PURCHASE - OTHER; EMERGENCY (FIN)
- 2ND RDG 19. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT AMENDMENT W/COMP MANAGEMENT, INC. TO INCREASE ITS FEE FR: \$26,000.00 TO \$26,780.00; EMERGENCY (FIN)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE: (AMENDED O#23 & #26)

- 173/2007 20. ESTABLISHING FMV OF CITY OWNED PROPERTY; AUTHORIZE SALE & CONVEYANCE OF PROPERTY PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (PARCEL # 02-22188 ON 12TH ST NE)
- 174/2007 21. AUTHORIZE EDITING & INCLUSION OF VARIOUS COMPONENT CODES OF ORDINANCES TO THE CITY OF CANTON CODIFIED ORDINANCES; EMERGENCY
- 175/2007 22. RESOLUTION AUTHORIZING LAW DIRECTOR TO DISTRIBUTE FREE PUB OFFICIALS & PUB INSTITUTIONS COPIES OF 2007 SUPPLEMENTAL TO CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR SALE OF SAME; EMERGENCY

AMENDED

- 176/2007 23. AMENDING O#241/2006 MAKING VARIOUS SUPP APPROP, REDUCTIONS, TRANSFERS & INTERFUND CASH TRANSFERS TO CONTINUE OPERATIONS OF CITY; EMERGENCY
- 177/2007 24. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO \$7,500.00 5-YR LEASE AGMT W/OPTION TO PURCHASE 2, 10-TON HEAVY DUTY DUMP TRKS IN WATER DEPT; AMENDING O#241/2006, TO MAKE \$7,500.00 SUPP APP; EMERGENCY
- 178/2007 25. AUTHORIZE CITY AUDITOR TO ESTABLISH 2234 STEIN PROJ FUND; AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT TO CONSTRUCT INFRASTRUCTURE IMPROV FOR STEIN INDUSTRIAL PK GP 1094; AMENDING O#241/2006 TO MAKE \$400,000.00 SUPP APPROP & TRANSFERS; EMERGENCY

AMENDED

- 179/2007 26. AUTHORIZE MAYOR TO ENTER INTO AMENDED ENTERPRISE ZONE AGMT W/GLENN REAL ESTATE INVESTMENTS DBA CUTTER EQUIP CO; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, OCTOBER 1, 2007 in Council Caucus @ 6:45 P.M.

- 1) Finance Committee
- 2) Public Safety & Thoroughfares Committee
- 3) Public Property Capital Improvement Committee

PUBLIC SPEAKS: Mr. Cioca - Expressed concerns re: sealed bids process & out of town bidders; Mr. Davis - Expressed interested in trapped stray animals within city and also concerns re: crime in his neighborhood; Mr. McCourry - Inquiring on how to enforce junk car ordinances as he has received no satisfaction in getting junk cars out of his neighborhood.

MISCELLANEOUS BUSINESS: J. Carbenia - expressed Casar's thoughts of "he would rather sit down with Dr. Murthy (Coroner) than lay down with him". T. West - Expressed concerns re: AEP cutting branches & not cleaning up. Requested an investigation on this matter. Thanked Mr. Davis for expressing his concerning on crime in the neighborhood J. Concatto - AEP has easement rights & legal authority to cut trees. M. Cirelli - Can city request removal of limbs on private property? Also requested investigation. Complimented Dave Dougherty on a successful 'Feed The Needy' picnic; D. Dougherty - Asked how AEP could make private property worse creating a bad situation. Thanked all involved in volunteering @ 'Feed The Needy' picnic. T. Prater - Expressed concerned re: junk cars & requested definition of 'junk cars'; B. Hunt - Announced a meeting will be held w/Law Dept. re: junk cars; J. Martuccio - City has no right to cut trees on private property; Gave description of junk cars according to the Ordinance; suggested we could amend the ordinance. Complimented public speaker Mr. Cioca for presenting his case & being very organized. Announced change in public records law eff: 9/29/07. R. Hart - Hats off to the Dougherty family for a successful 'Feed The Needy' event & to J. Carbenia for cooking a most tasty hot dog & to R. A. Mallonn for cooking & keeping the grease fire under control; B. Kraus - suggested contacting K. Huot of AEP re: branch trimming. J. Concatto - Thanked Law Dir for explaining bid process. Thanked all who participated in the Health Fair which is more than what was expected - great turnout. Announced Health Fair on Wednesday from 1PM to 7PM @ Civic Center

ADJOURNMENT: 8:22 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 1, 2007 @ 7:30 PM