

FINAL
A G E N D A
7:30 PM
2008

CANTON CITY COUNCIL

JULY 28,

ROLL CALL: All Councilmembers Present

INVOCATION: Karl "Butch" Kraus, Ward 8 Councilmember

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#15; O#14 Retained in Committee; O#25 Adopted as Amended)

PUBLIC HEARINGS:

7:30 P.M. AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (NAT'L STEELWORKERS OLDTIMERS FOUNDATION 3825 13TH ST SW); ASSIGNED TO WARD 3; PLANNING COMMISSION RECOMMENDED APPROVAL OF SAME (No Speakers) **O#106/2008**

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY):

INFORMAL RESOLUTIONS:

- MAJORITY LEADER DON CASAR: EXCUSING MEMBERS. (Not Necessary)
70. COUNCIL OF THE WHOLE: WISHING RABBI SPITZER WELL IN HIS RETIREMENT. - ADOPTED
71. COUNCIL OF THE WHOLE: SUPPORTING KEEPING THE OHSAA STATE FOOTBALL CHAMPIONSHIP IN STARK CNTY. - ADOPTED
72. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF MICHAEL ABBOTT TO THE CANTON CONSTRUCTION BD EXPIRING 12/31/08. - ADOPTED

COMMUNICATIONS:

305. AUDITOR MALLONN (CITY): CERTIFICATE OF TOTAL AMT FR: 2008 ALL SOURCES. - RECEIVED & FILED
306. DEVELOPMENT DIRECTOR TORRES: ACCEPT PARCEL OF LAND LOCATED ON FIELD STREET NW AS DONATION FR: FRANK A. WILLIAMS (PARCEL #03-03610). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
307. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR &/OR SERV DIR TO CONVEY CITY OWNED PROP TO CCIC (PARCEL #02-85774 - 1114 GONDER AVE SE). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
308. HAWK, G., WARD 1 CNCLMN: REQ TO AMEND SEC 521.08(d) TO INCREASE FINES FOR FIRST OFFENSE FOR LITTERING TO \$100.00 & AMEND CHARGE FOR SUBSEQUENT VIOLATIONS IN SAME YEAR TO BE 4TH DEGREE MISDEMEANORS W/FINES OF \$150.00 FOR A 2ND OFFENSE & \$250.00 FOR A 3RD OFFENSE. - JUDICIARY COMMITTEE
309. HEALTH COMMISSIONER ADAMS: REQ APPROP VARIOUS UNAPPROP CASH BALANCES. - FINANCE COMMITTEE
310. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C1 C2 LIQ PERMIT FOR BENZO INCORP DBA FULTON DRIVE RD @ 1133 FULTON RD. - RECEIVED & FILED
311. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C2 D1 D3 D3A LIQ PERMIT FOR SHAWN MICHELLE MARTIN DBA PRIMETIME PUB & DRIVE THRU @ 400 NAVARRE AV SW. - RECEIVED & FILED
312. LIQUOR CONTROL DIVISION (OHIO): RECEIVED REQUEST TO CANCEL 2007-2008 RENEWAL APP FOR MARTIN JOSEPH STURIALE DBA PASTIME INN @ 606 - 9TH ST SW, 1ST FL. ADVISING RULING WILL NOT BE ISSUED ON HEARING HELD 3/18/08. - RECEIVED & FILED
313. MAYOR HEALY: REQ SEVERAL PROPOSED CHANGES TO THE PERSONNEL ORDINANCE. - PERSONNEL COMMITTEE
314. STARK CNTY COURT OF APPEALS: RECEIPT OF OPINION DIANO ANNEXATION, CASE NO 2007-CA-000063. - RECEIVED & FILED
315. SERVICE DIRECTOR BERNABEI: AUTHORIZE SEV DIR TO ENTER INTO AGMT W/ODOT, EFFECTIVE 1/1/08 - 6/30/09 FOR LIGHTING MAINTENANCE OF I-77 WITHIN CITY LIMITS. - FINANCE COMMITTEE
316. SERVICE DIRECTOR BERNABEI: REQ TO AMEND CHAPTER 919, SIDEWALK & CURB REPLACEMENT PROG TO IMPLEMENT & CREATE A 2ND SIDEWALK & CURB

REPLACEMENT PROG. - JUDICIARY & SIDEWALK & STREET LIGHT COMMITTEES

317. TREASURER SCHIRACK:

RPT OF TREAS OFC BANK RECONCILIATIONS & CITY'S
OUTSTANDING INVESTMENTS AS OF 6/30/08. - RECEIVED & FILED**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

- 1ST RDG 1. AMEND O#17/89, AS AMENDED, AUTHORIZE MAYOR TO ENTER INTO AN AMENDED CONTRACT W/CCIC TO ADMINISTER ADDT'L CDBG FUNDS IN AMT NOT TO EXCEED \$500,000.00; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 2. AUTHORIZE MAYOR OR DIR OF PUB SERV TO ENTER INTO CONTRACT W/CANTON REG CHAMBER OF COMMERCE TO PROVIDE A GRANT IN AMT NOT TO EXCEED \$175,000.00 FOR A COMPREHENSIVE ECONOMIC & DOWNTOWN DEV PROG; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 3. AUTHORIZE MAYOR TO MAKE APPLICATION & REC CLEAN OH ASST FUND GRANT FR: OH DEPT OF DEV; AUTHORIZE MAYOR TO ENTER INTO PROF SERVICES CONTRACT FOR OVERSIGHT OF REMEDIATION WORK AT STEIN IND PK; AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT W/A REMEDIATION CONTRACTOR FOR REMEDIATION WORK; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 4. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACTS FOR REMEDIATION OF HERCULES PROJ; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 5. ESTABLISH FAIR REUSE VALUE OF REAL PROP; AUTHORIZE SERV DIR TO IMPLEMENT RIGHT OF REVERSION CLAUSE & PURCHASE SAID PARCEL; EMERGENCY (PARCEL 02-48016 ON 5TH ST NE)
Referred to Community & Economic Development Committee
- 1ST RDG 6. AMEND APPROP O#1/2008, AS AMENDED, BY MAKING VARIOUS APPROP TRANSFERS; EMERGENCY (HEALTH DEPT)
Referred to Finance Committee
- 1ST RDG 7. AUTHORIZE EDITING & INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCE OF CANTON; EMERGENCY
Referred to Judiciary Committee
- 1ST RDG 8. AUTHORIZE LAW DIR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS & PUBLIC INSTITUTIONS COPIES OF 2008 SUPPLEMENT TO CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR SALE OF SAME; EMERGENCY
Referred to Judiciary Committee
- 1ST RDG 9. AMEND O#55/77, AS AMENDED, ZONING; EMERGENCY (WAYNE MARION)
Referred to Judiciary Committee **PUB HRG: 8/25/08 @ 7:30 PM**
- 1ST RDG 10. APPROVE & ACCEPT REPLATTING & RENUMBERING OF LOT 14320 & PART OF LOT 14321; EMERGENCY (ROGER RAMBAUD)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 11. AMEND O#55/77, AS AMENDED, ZONING; EMERGENCY (ASIF YOUNUS)
Referred to Judiciary Committee **PUB HRG: 8/25/08 @ 7:31 PM**
- 1ST RDG 12. AUTHORIZE AUDITOR TO PAY \$600.00 MORAL OB TO DSR & ASSOC; EMERGENCY (FIRE DEPT)
Referred to Finance Committee
- 1ST RDG 13. AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR A TRAIL UNDERPASS IN CONJUNCTION W/THE WEST SIDE PARKS TRAIL & BRIDGE PROJ; EMERGENCY
Referred to Public Property Capital Improvement & Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#15; O#14 RETAINED IN COMMITTEE)****RETAINED**

- IN CMTE** 14. AMEND CHAPTER 917, TREES, OF THE CODIFIED ORDINANCES OF CITY OF CANTON (PARKS & REC)
- 2ND RDG 15. AUTHORIZE SAF DIR TO FILE APP FOR & ACCEPT A GRANT FR: FEDERAL COMMERCIAL EQUIPMENT DIRECT ASST PROG FOR SOLE PURPOSE OF PURCHASE OF FORENSIC VIDEO EQUIPMENT FOR POLICE DEPT; EMERGENCY

(PPCI & FIN)

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

- 102/2008** 16. AMEND O#55/77, AS AMENDED, ZONING; EMERGENCY (MARTHA ANDERSON) **PUB HRC: 6/30/08 @ 7:32 PM**
- 103/2008** 17. AUTHORIZE CITY TO ACCEPT DONATION OF REAL PROP FR: THE NILES H. BAUM ESTATE (PARCEL #02-02026 HAMMOND AVE SW)
- 104/2008** 18. CONSENTING TO TRANSFER OF THE ROBERT J. GASSER COMMUNITY REINVESTMENT AREA AGMT; EMERGENCY
- 105/2008** 19. AUTHORIZE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGMT W/BROWNSTONE DEVELOPERS, LLC; EMERGENCY

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

- 106/2008** 20. AMEND O#55/77, AS AMENDED, KNOWN AS CITY ZONING ORDINANCE; EMERGENCY (NAT'L STEELWORKERS OLDTIMERS FOUNDATION 3825 13TH ST SW) **PUB HRC: 7/28/08 @ 7:30 P.M.**
- 107/2008** 21. APPROVE & ACCEPT REPLAT & RENUMBERING OF OL 1220; EMERGENCY (CITY OF CANTON)
- 108/2008** 22. AUTHORIZE SAF DIR TO MAKE APPLICATION FOR & ACCEPT GRANT IN AMT NOT TO EXCEED \$35,429.21 FR: STATE FOR SELECTIVE TRAFFIC ENFORCEMENT PROG; EMERGENCY
- 109/2008** 23. AUTHORIZE MAYOR TO ACCEPT OH DEPT OF NATURAL RESOURCES, DIV OF RECYCLING & LITTER PREVENTION GRANT; AUTHORIZE A CASH MATCH FR: COURT FUNDS; AUTHORIZE AUDITOR TO ESTABLISH 2417 LITTER PREVENTION FUND; AMEND APPROP O#1/2008; EMERGENCY
- 110/2008** 24. AMEND APPROP O#1/2008, AS AMENDED, BY MAKING VARIOUS SUPP APPROP, APPROP TRANS & APPROP REDUCTIONS; EMERGENCY

AMENDED

- 111/2008** 25. AMEND O#18/2008 & O#155/2007; EMERGENCY (PARK POULTRY, INC)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, AUGUST 11, 2008 in Council Caucus @ 6:00 P.M.**

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

PUBLIC SPEAKS: Patricia Kirk re: Passed out wristbands. Discussed the Tree Ordinance and the Kresge lot; James Smith, Sr. re: Expressing the need for more police presence, Junction Tavern has been broken into 3 times recently and every time he calls police they tell him to tell the Mayor that "we need more cops." Also advising of flooding problems in his area. Further advising that the Sanitation Department throws the trash cans in the street every week after they empty them; Jason Scaglione re: Relaying that the drug activity in his area is out of control and asking for help; Robert Breazeal re: Problem with speeding on Fawcett Ct, Junction Ct NW and Wertz and the street lights and street signs are covered up by trees. Also expressing the need for street sweepers after fair; Amy Breazeal re: Tired of seeing the man who cleans up the neighborhood getting sited for minimal things when there is nothing being done about the crimes that occur in the neighborhood. Expressing problem with Section 8 houses and the criminals that live in them. Also relaying her fear to leave her house during "fair time" because of there are teens that fight in the streets and carry on while cops just stand there and watch. Also would like to see some trash cans put along the tree lines at fair time so people don't use the street for trash instead; Jan Schueler re: It is her opinion that this town needs an urban forester to educate the City about tree care; Kelly Scaglione re: Passed out flyer with issues in the neighborhood. Problem with curfew in her neighborhood, children under 10 play until all hours of the night. Also problems with unsecured vacant properties, public intoxication with no recourse from police; Cindy Hall re: Would like to work with City leaders in determining what to do with vacant Lehman Jr. High School; Michael Swintosky re: Would like to see a committee formed for renovating vacant Lehman Jr. High School; Jody Whalen re: Concerned about what will become of the vacant Lehman Jr. High School, would like to see it made a recreation center or a park but would not like to see it made low income housing; Lynda Tuttle re: Would like to be involved in part of

the decision that is made with vacant Lehman Jr. High School, expressed concern that the building has been empty and being vandalized for too long; Larry Heckamen re: Relaying that he has witnessed Lehman being vandalized and by the time police arrive they are gone. He believes that something needs to be done quickly with school because there is going to be nothing left of the school. Also advises that if police ticket people \$100.00 for the noise ordinance perhaps they could hire more police officers with the money.

MISCELLANEOUS BUSINESS: Majority Leader Casar re: Advising that the School Board is in complete control of Lehman Jr. High School, that Council has no say over what will become of the school; Development Director Torres re: Advising that Lehman is the under the jurisdiction of Canton City Schools, however there have been two companies (neither being low income housing) looking at the property; Thomas West re: Advising that Tuesday, July 29, 2008 at 6:00 PM there will be a meeting at Nimissilla Park regarding different issues; James Griffin re: Thanking speakers for coming and advising them that there will be a neighborhood clean up on Sunday, August 3, 2008 at 1:00 PM in Harter Heights; Safety Director Nesbitt re: Thanked citizens for coming to speak at Council and relayed his desire to have a meeting to discuss and address concerns.

ADJOURNMENT: 8:48 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 11, 2008 @ 7:30 PM