

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

CANTON CITY COUNCIL

AUGUST 11,

ROLL CALL: Eleven Councilmembers Present, One Absent (Dougherty)

INVOCATION: Don Casar, Majority Leader

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#10 - O#22, except O#18 which was Retained in Committee and O#19 which was Referred Back to Planning Commission; O#11 Adopted on 2nd Rdg; O#13 Adopted on 2nd Rdg as Amended; O#15 Adopted on 2nd Rdg)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

MAJORITY LEADER DON CASAR:

EXCUSING MEMBERS. (DOUGHERTY ABSENT)

73. CASAR, D., MAJ LEADER, CARBENIA, J.,
ASST MAJ LEADER, & SMUCKLER, B.,
CNCL-AT-LG: AUTHORIZING SERV DIR TO REQUIRE PROSPECTIVE OR EXISTING EXTRATERRITORIAL CUSTOMERS OF CITY WATER & SEWER SERVICES TO ANNEX OR AGREE TO BE ANNEXED, & TO FURTHER AUTHORIZE SERV DIR TO WITHDRAW & TERMINATE WATER &/OR SEWER SERVICES, UPON REASONABLE NOTICE, SHOULD SUCH EXTRATERRITORIAL CUSTOMERS FAIL, NEGLECT OR REFUSE TO BE ANNEXED. - ADOPTED
74. CIRELLI, M., CNCL-AT-LG: INFORMING ALL RECIPIENTS OF CDBG DOLLARS OF 4% REDUCTION. - ADOPTED
75. CIRELLI, M., CNCL-AT-LG: PROTESTING EXCESSIVE FEE INCREASES IN THE TRANSPORTATION OF NATURAL GAS & DELIVERY OF ELECTRICITY. - ADOPTED
76. COUNCIL AS A WHOLE: CONGRATULATING W.R. POPE FOR HIS 100TH BIRTHDAY. - ADOPTED
77. SMITH, C., WARD 4 CNCLMN: REQ STREET LIGHT ON EXISTING AEP POLE #AEP-819C4-107 ON ALLEN AVE SE & HAWK PL SE. - ADOPTED

COMMUNICATIONS:

318. AUDITOR MALLONN (CITY): CERTIFICATE OF TOTAL AMT FROM ALL SOURCES FOR 2008. - RECEIVED & FILED
319. AUDITOR MALLONN (CITY): MONTHLY RPT BY FUND FOR 1/1/08 - 7/31/08. - RECEIVED & FILED
320. AUDITOR MALLONN (CITY): YEARLY RPT BY FUND FOR 1/1/08 - 7/31/08. - RECEIVED & FILED
321. DEVELOPMENT DIRECTOR TORRES: REQ THE FOLLOWING LEGISLATION CONCERNING A CLEAN OH REVITALIZATION FUND GRANT FOR HERCULES PROJ: REQ TO ENTER INTO CONTRACT W/BROWNFIELD RESTORATION GROUP NOT TO EXCEED \$10,000.00 TO BE PAID THROUGH CORF MONIES; REQ TO ENTER INTO CONTRACT OF COOPERATION W/CORMONY DEV LLC TO PERFORM OR CAUSE TO HAVE PERFORMED THE REMEDIATION ITEMS AS OUTLINED BY BUDGET APPROVING ODOG; RATIFY THE ADVERTISING FOR & REC OF BIDS & THE ENTERING INTO CONTRACTS FOR REMEDIATION WORK OUTLINED IN THE CLEAN OHIO REV FUND APP & APPROVED BY THE ODOG GRANT. - RECEIVED & FILED
322. DEVELOPMENT DIRECTOR TORRES: ESTABLISH FAIR REUSE VALUE OF REAL PROP & AUTHORIZE DISPOSITION OF PARCEL #02-47368 ON QUEEN CT NW TO ROBERTA ROGERS FOR \$600.00. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
323. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/YWCA TO PROVIDE A GRANT UTILIZING EMER SHELTER GRANT FUNDS IN AMT NOT TO EXCEED \$15,000.00 FOR NEW BEGINNINGS SHELTER. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
324. HAWK, G., WARD 1 CNCLMN: REQ TO AMEND SEC 505.18, DANGEROUS OR VICIOUS ANIMALS, OF THE CITY'S CODIFIED ORDINANCES. - JUDICIARY COMMITTEE
325. HEALTH BENEFITS ADMIN, BRESSON: JULY 2008 MO COMPARATIVE RPT OF INS CLAIMS & JAN - JULY 2008 PAID CLAIMS & COMPARATIVE RPT. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

326. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF D1, D2, D3 LIQ PERMIT FR: VORAU COMPANY DBA MOZART RESTAURANT TO: LA VILLITA LTD DBA EL CAMPESINO @ 3520 CLEVELAND AVE N & PATIO. - RECEIVED & FILED
327. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF D1, D2, D3, D3A LIQ PERMIT FR: EXILE NITE CLUB LLC TO SUSAN M KOSTOLICH DBA SUPERIOR PUB @ 2360 MAHONING RD NE 1ST FL. - RECEIVED & FILED
328. MAYOR HEALY: REQ AUTHORIZATION OF APPT OF EDYTHE STINSON TO FAIR HSNG COMM EFF 8/1/08 - 7/31/13. - PERSONNEL COMMITTEE
329. SAFETY DIRECTOR NESBITT: REQ TO AMEND PORTIONS OF 351, 353, AND 361 OF CITY'S CODIFIED ORDINANCES RE: PARKING, PARKING METERS & PAYMENT & WAIVER PROCEDURE. - JUDICIARY COMMITTEE
330. SAFETY DIRECTOR NESBITT: REQ TO RESCIND PORTION OF O#17/2007 THAT ELIMINATED THE POSITION OF MAJOR IN POLICE DEPT. - JUDICIARY & PERSONNEL COMMITTEES
331. SERVICE DIRECTOR BERNABEI: REQ TO ENTER INTO AGMT W/NORTHEAST OH LABOR MANAGEMENT COUNCIL IN AMT NOT TO EXCEED \$10,000.00 TO PROVIDE LABOR MANAGEMENT CONSULTATION SERVICES; REQ SUPP APPROP FOR SAME. - FINANCE COMMITTEE
332. SERVICE DIRECTOR BERNABEI: REQ \$19,000.00 SUPP APPROP; \$14,000.00 OF THIS AS MORAL OB FOR PROCESS ASSOCIATED W/THE HIRING OF 15 ADDT'L FIREFIGHTERS/PARAMEDICS; \$5,000 OF THIS TO COVER EXPENSES FOR ASSESSMENTS NEEDED IN CONJUNCTION W/UPCOMING PROMOTIONAL EXAMINATION FOR POSITION OF MAJOR IN POLICE DEPT. - FINANCE & PERSONNEL COMMITTEES
333. SERVICE DIRECTOR BERNABEI: ADVISING THAT ADMINISTRATION WILL BE SUBMITTING THE ALTERNATIVE TAX BUDGET FOR FISCAL YR 2009 AT ITS 8/25/08 MEETING. - RECEIVED & FILED
334. SERVICE DIRECTOR BERNABEI: REQ VARIOUS SUPP APPROPS, APPROP TRANSFERS & INTERFUND TRANSFERS FOR FUEL FOR CITY'S VEHICULAR FLEET. - FINANCE COMMITTEE
335. SERVICE DIRECTOR BERNABEI: REQ VARIOUS SUPP APPROPS FOR 5201 WATER WORKS OPERATING FUND. - FINANCE COMMITTEE
336. SERVICE DIRECTOR BERNABEI: REQ ADOPTION OF INFORMAL RESOLUTION AUTHORIZING SERV DIR TO REQUIRE PROSPECTIVE OR EXISTING EXTRATERRITORIAL CUSTOMERS OF CITY WATER & SEWER SERVICES TO ANNEX OR AGREE TO BE ANNEXED, & TO FURTHER AUTHORIZE SERV DIR TO WITHDRAW & TERMINATE WATER &/OR SEWER SERVICES, UPON REASONABLE NOTICE, SHOULD SUCH EXTRATERRITORIAL CUSTOMERS FAIL, NEGLECT OR REFUSE TO BE ANNEXED. - RECEIVED & FILED
337. TREASURER SCHIRACK: JULY 2008 DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED
338. TREASURER SCHIRACK: JULY 2008 PKING MTR REVENUE. - RECEIVED & FILED
339. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 7/31/08. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS THE FIRST TEE ANNEXATION AREA CONTAINING APPROX 0.247 ACRES; ASSIGNING TO WARD 6; ZONING AS OS (OPEN SPACE) ~~PER ORDINANCE 17-08-001~~ **7:30 P.M.**
Referred to Annexation Committee
- 1ST RDG 2. AUTHORIZE SERV DIR TO ENTER INTO LEASE AGMT W/NAT'L ASSOC FOR THE ADVANCEMENT OF

COLORED PEOPLE; EMERGENCY
Referred to Finance Committee

- 1ST RDG 3. AUTHORIZE CITY TO ACCEPT DONATION OF REAL PROP FROM FRANK A. WILLIAMS (LOT#38521 ON FIELD ST NW)
Referred to Community & Economic Development Committee
- 1ST RDG 4. AUTHORIZE SERV DIR TO CONVEY CITY-OWNED REAL PROP, NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO CCIC; EMERGENCY (1114 GONDER AVE SE)
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 5. AMEND SEC 521.08, LITTERING & DUMPING, OF CITY'S CODIFIED ORDINANCES
Referred to Judiciary Committee
- 1ST RDG 6. AMEND APPROP O#1/2008, AS AMENDED, BY MAKING VARIOUS SUPP APPROPS; EMERGENCY (HEALTH DEPT)
Referred to Finance Committee
- 1ST RDG 7. AMEND EXHIBIT A TO O#40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL OF CITY; EMERGENCY
Referred to Personnel Committee
- 1ST RDG 8. AMEND EXHIBIT A TO O#164/2001, AS AMENDED, CLASSIFICATION PLAN FOR MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES OF CITY; EMERGENCY
R e f e r r e d t o P e r s o n n e l C o m m i t t e e
- 1ST RDG 9. AUTHORIZE SERV DIR TO ENTER INTO AGMT W/ODOT FOR LIGHTING MAINTENANCE OF I-77 WITHIN CITY LIMITS; EMERGENCY
R e f e r r e d t o F i n a n c e C o m m i t t e e

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#10 - O#22, EXCEPT O#18 WHICH WAS RETAINED IN COMMITTEE AND O#19 WHICH WAS REFERRED BACK TO PLANNING COMMISSION)

- 2ND RDG 10. 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 (C&ED)
- 112/2008** 11. 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 (C&ED)
- 2ND RDG 12. 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 (C&ED)
- AMENDED**
113/2008 13. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACTS FOR REMEDIATION OF HERCULES PROJ; EMERGENCY (C&ED)
- 2ND RDG 14. 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) (C&ED)
- 114/2008** 15. AMEND APPROP O#1/2008, AS AMENDED, BY MAKING VARIOUS APPROP TRANSFERS; EMERGENCY (HEALTH DEPT) (FIN)
- 2ND RDG 16. AUTHORIZE EDITING & INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCE OF CANTON; EMERGENCY (JUD)
- 2ND RDG 17. 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 (JUD)
- RETAINED**
IN CMTE 18. AMEND O#55/77, AS AMENDED, ZONING; EMERGENCY (WAYNE MARION) (JUD)

PUB HRG: 8/25/08 @ 7:30 PM**REFERRED BACK TO**

PLANNING 19. APPROVE & ACCEPT REPLATTING & RENUMBERING OF LOT 14320 & PART OF LOT 14321; EMERGENCY (ROGER RAMBAUD) (PS&T)

2ND RDG 20. AMEND O#55/77, AS AMENDED, ZONING; EMERGENCY (ASIF YOUNUS) (JUD)

PUB HRG: 8/25/08 @ 7:31 PM

2ND RDG 21. AUTHORIZE AUDITOR TO PAY \$600.00 MORAL OB TO DSR & ASSOC; EMERGENCY (FIRE DEPT) (FIN)

2ND RDG 22. 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 (PPCI & FIN)

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

115/2008 23. 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, AUGUST 25, 2008 in Council Caucus @ 6:00 P.M.**

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 3) Personnel Committee
- 4) Judiciary Committee
- 5) Annexation Committee

PUBLIC SPEAKS: M. James Kelly re: Advising that his taxi cab company is one of three that are licensed in the City but dismayed because of all of the other taxi cab companies that are popping up in the phonebook servicing citizens of Canton; Jason Scaglione re: Expressing appreciation for increased police presence during ribs burn-off and would advising that he would like to see the same during fair time. He would also like to see trash cans put out during fair time; James M. Smith Sr. re: Advising of a recent situation when police were called because of a disorderly man. Police told the man to take a walk and they advised that they would be back. The man came back and went off until 4:00 A.M., police never came back; John Swartz re: Thanking everyone for what a great city Canton is; James E. Chester, Sr. re: Advising that after every event at the fair grounds the neighborhood is filled with litter and no one comes out to clean it, leaving it for the neighborhood to clean up. Asking who is responsible for the trash after events.

MISCELLANEOUS BUSINESS: Member Cirelli re: Thanking Law Director Martuccio for all his hard work in creating Resolution #75; Member West re: Advising that over the weekend people came from several different states and said nothing but positive things about the City of Canton. Also advising that at Canton Central Plaza on August 28, 2008 at 6:00 P.M. they will be designating Cherry Ave and Walnut Ave as The Martin Luther King Corridor; Member Griffin re: Thanking the Safety Forces for a job well done during the ribs burn-off. Also advising that he contacted Service Director Bernabei regarding the trash boxes and was told that he was on vacation and will get back to him when he returns; Member Smith re: Advising that on Saturday, August 12, 2008 there will be a 4th Ward clean up and on August 31, 2008 there will be a 4th Ward picnic at Crenshaw Park; President Schulman re: Advising that there will be a letter to the editor regarding the story in Forbes Magazine.

ADJOURNMENT: 8:29 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 25, 2008 @ 7:30 PM