

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

CANTON CITY COUNCIL

JUNE 16,

**ROLL CALL:** All Councilmembers Present

**INVOCATION:** Terry Prater, Ward 5 Councilmember

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

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add O#10 - O#21; O#11 & O#21 Adopted on 2<sup>nd</sup> Rdg)

**PUBLIC HEARINGS:** (None)

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

**INFORMAL RESOLUTIONS:**

- MAJORITY LEADER DON CASAR: EXCUSING MEMBERS. (Not Necessary)
44. SMITH, C., WARD 4 CNCLMN: SUPPORT FUNDING FOR WATER FACILITY IN WARD 4. - REFERRED TO PARKS & RECREATION COMMITTEE
62. COUNCIL AS A WHOLE: CONGRATULATING CANTON CENTRAL CATHOLIC HIGH SCHOOL BASEBALL TEAM FOR WINNING DIVISION III STATE BASEBALL CHAMPIONSHIP. - ADOPTED
63. COUNCIL AS A WHOLE: CONGRATULATING ST. ANTHONY'S CHURCH ON THEIR 100<sup>TH</sup> ANNIVERSARY. - ADOPTED
64. COUNCIL AS A WHOLE: INSTALL ECOLOGICALLY, FRIENDLY BICYCLE RACKS AT CITY HALL AND THROUGHOUT DOWNTOWN AREA. - ADOPTED

**COMMUNICATIONS:**

251. AUDITOR MALLONN (CITY): MONTHLY RPT BY FUND FOR 5/1/08 THRU 5/30/08. - RECEIVED & FILED
252. AUDITOR MALLONN (CITY): YEARLY RPT BY FUND FOR 1/1/08 THRU 5/30/08. - RECEIVED & FILED
253. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE THE ACCEPTANCE OF PARCEL #02-02026, LOT 5693, HAMMOND AVE. SW. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
254. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE THE MAYOR TO ENTER INTO AMENDED CRA AGMT W/ROBERT GASSER TO REFLECT NAME CHANGE. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
255. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE THE MAYOR TO ENTER INTO AMENDED ENTERPRISE ZONE AGREEMENT W/WEDU PROPERTIES TO REFLECT NAME CHANGE. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
256. HEALTH BENEFITS ADMIN., BRESSON: MAY 2008 MONTHLY COMPARATIVE RPT OF INSUR CLAIMS & JAN - MAY 2008 PAID CLAIMS/COMPARATIVE RPT. - RECEIVED & FILED
257. HEALTH DEPARTMENT (CITY): 2007 ANNUAL RPT. - RECEIVED & FILED
258. MARION, WAYNE, APPLICANT: REQ ZONE CHANGE @ 1919 11<sup>TH</sup> STR. S.W. - PLANNING COMMISSION
259. MAYOR HEALY: COURTESY LETTER ADVISING OF APPOINTMENT OF LINDA BARNES TO THE CANTON CITY PLANNING COMMISSION. - RECEIVED & FILED
260. PLANNING COMMISSION: RECOMMENDING PROPERTY BE DESIGNATED AS (OS) OPEN SPACE ZONING AND SAID AREA ASSIGNED TO WARD 6 FOR FIRST TEE ANNEXATION (2525 25<sup>TH</sup> STR. NE). - ANNEXATION COMMITTEE
261. PLANNING COMMISSION: RECOMMENDING APPROVAL OF ZONE CHANGE @ 3825 13<sup>TH</sup> STR. SW FR: PR-4 TO PB-4 FOR ERECTION OF ELECTRONIC SIGN (NATIONAL STEELWORKERS). - JUDICIARY COMMITTEE
262. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REPLAT OF OUTLOT 1220 ON LINCOLN STREET, EAST OF SE CORNER OF TRUMP AVE. & LINCOLN STR SE. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
263. SAFETY DIRECTOR NESBITT: APRIL 2008 RPT OF INMATES INCARCERATED UNDER CITY ORDINANCE PROVIDED BY STK. CTY. SHERIFF SWANSON. - RECEIVED & FILED

264. SAFETY DIRECTOR NESBITT: AUTHORIZE THE SAF DIR TO MAKE APPLICATION & ACCEPT GRANT FROM STATE OF OHIO GOVERNOR'S HIGHWAY GRANT. - FINANCE COMMITTEE

**COMMUNICATIONS CONTINUED:**

265. SERVICE DIRECTOR BERNABEL: AUTHORITY TO ACCEPT GRANT, SETUP SPECIAL ACCT. FOR FUNDS & AUTHORIZE APPROP OF FUNDS (LITTER PREVENTION FUND). - FINANCE COMMITTEE
266. SERVICE DIRECTOR BERNABEL: AUTHORIZE FOR VARIOUS SUPP APPROPS, APPROP TRANSFERS, APPROP REDUCTIONS. - FINANCE COMMITTEE
267. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF MAY 31, 2008. - RECEIVED & FILED
268. TREASURER SCHIRACK: MAY 2008 DEPOSITS & PAY INS. - RECEIVED & FILED
269. TREASURER SCHIRACK: MAY 2008 PARKING METER REVENUE. - RECEIVED & FILED
270. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 5/30/08. - RECEIVED & FILED

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

- 1<sup>ST</sup> RDG 1. AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE COMMAND/COMMUNICATIONS VEHICLE FOR THE POLICE DEPARTMENT; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ALTERNATIVELY PURCHASE THE VEHICLE PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG 2. AN ORDINANCE AUTHORIZING THE STARK COUNTY COMMISSIONERS ON BEHALF OF THE CITY OF CANTON AND IN CONJUNCTION WITH THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF THE 25<sup>TH</sup> STREET N.E. STORM SEWER AND ROADWAY RECONSTRUCTION PROJECT; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH AND RECEIVE FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4558 25<sup>TH</sup> STREET N.E. STORM SEWER PROJECT G.P. 1090 FUND; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance & Public Property Capital Improvement Committees
- 1<sup>ST</sup> RDG 3. AN ORDINANCE AUTHORIZING THE REPLACEMENT OF THE BRIDGE ON SR 172 (TUSCARAWAS) OVER NIMISHILLEN CREEK; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Safety & Thoroughfare Committee
- 1<sup>ST</sup> RDG 4. AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, ENTER INTO AGREEMENT AND ACCEPT FUNDS FOR THE 2009 PROGRAM YEAR FROM THE OHIO PUBLIC WORKS COMMISSION; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. AN ORDINANCE AMENDING ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (ONASBURG WATER MAIN EXTENSION)  
Referred to Finance & Environmental & Public Utilities Committees
- 1<sup>ST</sup> RDG 6. AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT AND RECEIVE FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION IN THE AMOUNT OF \$250,860.00 FOR THE 49<sup>TH</sup> STREET N.E. (PLAIN CENTER) STORM SEWER AND STORM WATER BASIN PROJECT; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF SAID PROJECT; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4555 49<sup>TH</sup> STREET AND GARDENDALE N.E. STORM SEWER PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance & Public Property Capital Improvement Committees
- 1<sup>ST</sup> RDG 7. AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENTS FOR PURCHASE AND MAINTENANCE OF SAID PROPERTY FROM EASTPOINTE HOMEOWNERS ASSOCIATION AND TEMPORARY CONSTRUCTION EASEMENTS; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

- 1<sup>ST</sup> RDG 8. AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF THE 30<sup>TH</sup> STREET N.E. STORM SEWER, ROADWAY RECONSTRUCTION AND STORM WATER BASIN PROJECT, G.P. 1083; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4557 30<sup>TH</sup> STREET N.E. STORM SEWER, ROADWAY RECONSTRUCTION AND STORM WATER BASIN PROJECT FUND; AUTHORIZE THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT AND RECEIVE FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION IN THE AMOUNT OF \$2,101,300.00 FOR THE PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance & Public Property Capital Improvement Committees

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

- 1<sup>ST</sup> RDG 9. AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND PURCHASE SAID PROPERTY AT THE ESTABLISHED FAIR MARKET VALUE; AUTHORIZING THE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, ENTER INTO AGREEMENT AND RECEIVE FUNDS IN THE AMOUNT OF \$135,000.00 FROM THE CLEAN OHIO CONSERVATION FUND; RESERVE THE PROPERTY FOR PURPOSES OF THE PRESERVATION OF WATER, FORESTRY AND OTHER NATURAL RESOURCES; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

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

**(SUSPENDED RULE 22A TO ADD O#10 - O#21; O#11 & O#21 ADOPTED ON 2<sup>ND</sup> RDG)**

- 2<sup>ND</sup> RDG 10. AMEND EXHIBIT A TO O#164/2001, AS AMENDED, CLASSIFICATION PLAN & SALARIES FOR ALL MGMT & NON-BARG UNIT EMPLOYEES; EMERGENCY (PER) (PER)
- 81/2008** 11. AUTHORIZE MAYOR TO ENTER INTO FUNDING AGMT W/SCOPP, INC TO PROVIDE CDBG FUNDS IN AMT OF \$50,000.00 & HOME FUNDS IN AMT OF \$500,000.00 FOR ADMIN & IMPLEMENTATION OF CITY'S HSGN PROG; EMERGENCY (C&ED) (C&ED)
- 2<sup>ND</sup> RDG 12. VAC PORTION OF WELLS AVE NW & ALL OF LEY PL NW; APPROVE & ACCEPT REPLAT OF ALL OF LTS 247, 2753 - 2762, PARTS OF LTS 248 & 249, PART OF VACATED MCKINLEY AVE NW & VACATED PORTIONS OF WELLS AVE NW & LEY PL NW; EMERGENCY (HILSCHER CLARK ELEC) (PS&T) **PUB HRG: 6/30/08 @ 7:30 PM**
- 2<sup>ND</sup> RDG 13. AMENDING VARIOUS SECTIONS OF CODIFIED ORDINANCE, CHAPTER 1157, I-1 LIGHT INDUSTRIAL DISTRICT (JUD) **PUB HRG: 6/30/08 @ 7:31 PM**
- 2<sup>ND</sup> RDG 14. AMEND O#55/77, AS AMENDED, ZONING; EMERGENCY (MARTHA ANDERSON) (JUD) **PUB HRG: 6/30/08 @ 7:32 PM**
- 2<sup>ND</sup> RDG 15. AMEND O#55/77, AS AMENDED, ZONING, EMERGENCY (CYNTHIA WALKER, 1513 15<sup>TH</sup> ST NE) (JUD) **PUB HRG: 6/30/08 @ 7:33 PM**
- 2<sup>ND</sup> RDG 16. AMEND O#55/77, AS AMENDED, ZONING, EMERGENCY (CYNTHIA WALKER, 1411 15<sup>TH</sup> ST NE) (JUD) **PUB HRG: 6/30/08 @ 7:34 PM**
- 2<sup>ND</sup> RDG 17. APPROVE & ACCEPT DEDICATION PLAT OF PORTION OF WELLS AVE NW; APPROVE & ACCEPT REPLAT OF LOT 42865; EMERGENCY (PS&T) (PS&T)
- 2<sup>ND</sup> RDG 18. APPROVE & ACCEPT REPLAT OF LOT 42791; EMERGENCY (MICHAEL CAVEY) (PS&T) (PS&T)
- 2<sup>ND</sup> RDG 19. AUTHORIZE SERV DIR TO EXECUTE & DELIVER TO THE TIMKEN COMPANY AN EASEMENT ON PROP OWNED BY CITY; EMERGENCY (PS&T) (PS&T)
- 2<sup>ND</sup> RDG 20. AMEND APPROP O#1/2008, AS AMENDED BY MAKING VARIOUS SUPP APPROPS FR: UNAPPROP BAL OF 4501 CAPITAL IMPROV FUND IN TOTAL AMT OF \$616,171.00; EMERGENCY (PPCI) (PPCI)
- 82/2008** 21. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AGMTS & ACCEPT FUNDS FOR THE BISON CORP REMEDIATION PROJ; AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR THE KIMBALL RD/ALLEN AVE SE STORM SEWER SLIP LINING PROJ; AUTHORIZE SERV DIR TO ENTER INTO PROF SERVS CONTRACT W/HZW ENVIRONMENTAL CONSULTANTS, LLC FOR REMEDIAL DESIGN & IMPLEMENTATION SERVS; AUTHORIZE AUDITOR TO PAY MORAL OB TO HZW ENVIRONMENTAL CONSULTANTS, LLC; AMEND APPROP O#1/2008; EMERGENCY (C&ED) (C&ED)

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

- 83/2008** 22. AMEND O#50/2008 & O#247/2007; EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, JUNE 30, 2008 in Council Caucus @ 6:00 P.M.**

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

**PUBLIC SPEAKS:** Ruby Brogdon re: Asking Mayor Healy when he is going to send someone to clean up the mess at the house next door to her and advising that she will be back and be heard until something is done; Patricia Kirk re: Discussing pruning and thinning trees. Also advising of Shake a Leaf Meeting on 6/17/08 at 6:30 PM at Church of the Savior and 7/10/08 another meeting is planned.

**MISCELLANEOUS BUSINESS:** Member Smith re: Advising that concluding a meeting on 6/3/08 a decision was made that CTCC will not be going into Martin School. Also advising that an informative meeting for 4<sup>th</sup> Ward Residents will be held on 6/21/08 at 2:00 PM at the Southeast Community Center; Member West re: Congratulating Member Smith for her outstanding turnout. Also advising of two events that happened in Ward 2: One was where Multi Development Services and Jesus Speaks Church went through the neighborhood and cut grass in some of the lots that were really bad and chopped up trees. Two was an Amish group called the Next Door Missions that came to Ward 2 and helped a couple families tear down a garage at no charge to the homeowner; Member Cirelli re: Expressing disappointment about an advertisement in the newspaper for The Canton Concert Band not playing anywhere in the City of Canton; Safety Director Nesbitt re: Relaying his appreciation for Ms. Brogdon's

perseverance and advising that it is his goal to take care of the property next to her and many more. Also advising of reception with Mayor and Administration honoring new police officers at the "Peel" Coleman Center on 6/17/08 from 6:00-8:00 PM; Mayor re: Advising of Mayor's Night on 6/25/08 in Council Chamber; Member West re: Thanking Safety Director Nesbitt for coming to Ward 2 with two police officers to address problems with kids involved in gangs; President Schulman re: Commending Mayor for putting together a great team for the Sustainability Commission. Secondly commending Service Director Bernabei for a great golf game yesterday; Service Director Bernabei re: Announcing that within one to two weeks the City will begin distributing recycling bins in various neighborhoods.

**ADJOURNMENT:** 8:30 PM

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