

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

CANTON CITY COUNCIL

AUGUST 25,

ROLL CALL: Eleven Present, One Absent (Member Cirelli Absent)

INVOCATION: Joe Carbenia, Assistant Majority Leader

PLEDGE OF ALLEGIANCE: Led by President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#9 - O#18 with the exception of O#16 and O#17 which were Retained in Committee; RE#81 Retained in Committee)

PUBLIC HEARINGS:

7:30 PM 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 (WAYNE MARION @ 1919 -11TH ST SW); ASSIGNED TO WARD 5; PLANNING COMMISSION RECOMMENDED APPROVAL WITH CONDITIONS OF ZONE CHANGE (0 Speakers) See O#9

7:31 PM 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 (ASIF YOUNUS, NORTH SIDE OF W. TUSC ST); ASSIGNED TO WARD 3; PLANNING COMMISSION RECOMMENDED APPROVAL OF ZONE CHANGE(4 Speakers) **DEFEATED**

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

INFORMAL RESOLUTIONS:

- MAJORITY LEADER DON CASAR: EXCUSING MEMBERS. (MEMBER CIRELLI)
78. COUNCIL OF THE WHOLE: APPOINTING PATRICIA DOROSKY AS ADMINISTRATIVE ASSISTANT V IN CANTON CITY COUNCIL OFFICE. - ADOPTED
79. COUNCIL OF THE WHOLE: SUPPORTING THE 1-MIL REPLACEMENT LEVY FOR THE MENTAL HEALTH & RECOVERY SERVICES OF STARK COUNTY. - ADOPTED
80. FINANCE COMMITTEE: APPROVING PROPOSED ALTERNATIVE TAX BUDGET OF THE CITY OF CANTON FOR FISCAL YEAR ENDING 12/31/09. - ADOPTED
81. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF EDYTHE STINSON TO THE FAIR HSNB COMM EFF 8/1/08 - 7/31/13. - RETAINED IN CMTE

COMMUNICATIONS:

340. CASAR, D., CNCL-AT-LG: AUTHORIZE LAW DEPT TO PREPARE NECESSARY PERSONNEL ORDINANCE(S) FOR COUNCIL'S CONSIDERATION WHICH WILL CREATE CLASSIFICATION OF ANIMAL CONTROL OFFICER. - PERSONNEL COMMITTEE
341. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C1 LIQUOR PERMIT FOR SHAWN MICHELLE MARTIN DBA PRIMETIME PUB & DRIVE THRU @ 400 NAVARRE AVE SW. - RECEIVED & FILED
342. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HRG ON 9/18/08 @ 11:30 AM FOR NEW C-1-2 LIQUOR PERMIT FOR BENZO INC DBA FULTON DRIVE THRU @ 1133 FULTON RD. - RECEIVED & FILED
343. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REPLAT OF LOT 14320 & PART OF LOT 14321 (1211 & 1209 AUBURN PL NW ROGER RAMBOUD). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
344. SAFETY DIRECTOR NESBITT: AUTHORIZE SAF DIR TO PAY \$13,694.79 MORAL OB TO SPITZER CHEVROLET FOR REPAIRS TO CPD VEHICLES DUE TO DEFECTIVE GASOLINE DELIVERED TO CITY BY ITS SUPPLIER; FUNDS TO BE REIMBURSED TO CITY BY SUPPLIER. - FINANCE COMMITTEE
345. SERVICE DIRECTOR BERNABEI: AMEND CODIFIED ORD 921.02, ELIGIBILITY, CONCERNING CITYSCAPE SIDEWALK & CURB PROG FOR PURPOSE OF EXPANDING BOUNDARIES OF PROG TO COINCIDE IN PART W/THE BOUNDARIES OF SPECIAL IMPROV DISTRICT, AS THOSE BOUNDARIES MAY EXIST PRESENTLY OR AS THEY EXPAND INTO THE FUTURE. - JUDICIARY & SIDEWALK & STREET LIGHT COMMITTEES
346. SERVICE DIRECTOR BERNABEI: AUTHORIZE MAYOR &/OR SERV DIR TO MAKE APPLICATION, EXECUTE THE GRANT AGMT & ACCEPT FUNDS FOR GRANT FROM OHIO & ERIE CANALWAY ASSOC FOR AN EXPANSION OF PASSENGER LOADING AREA @ THE CANTON LINCOLN HWY STATION. - FINANCE COMMITTEE

347. SERVICE DIRECTOR BERNABEL: AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR PURCHASE & INSTALLATION OF 1 PRE-MANUFACTURED CONCRETE RESTROOM BLDG FOR MALLONN PARK. - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

348. SERVICE DIRECTOR BERNABEL: REQ COUNCIL TO ADOPT THE ALTERNATIVE TAX BUDGET OF THE CITY FOR FISCAL YR ENDING 12/31/09. - RECEIVED & FILED
349. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 7/31/08. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. ESTABLISH FAIR REUSE VALUE OF REAL PROP; AUTHORIZE SALE & CONVEYANCE PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (PARCEL #02-47368 ON QUEEN CT NW ROBERTA ROGERS)
Referred to Community & Economic Development Committee
- 1ST RDG 2. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT W/YWCA OF CENTRAL STARK CTY TO PROVIDE GRANT IN AMT NOT TO EXCEED \$15,000.00 FOR MISCELLANEOUS OPERATING COSTS FOR TRANSITIONAL HSNB PROG KNOWN AS NEW BEGINNINGS; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 3. AMEND SEC 505.18, DANGEROUS OR VICIOUS ANIMALS, OF CHAPTER 505, ANIMALS & FOWL, OF CODIFIED ORDINANCES
Referred to Judiciary Committee
- 1ST RDG 4. AMEND O#17/2007; AMEND EXHIBIT A TO O#164/2001, CLASSIFICATION PLAN & GENERAL SALARIES FOR MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES; EMERGENCY (CPD MAJOR)
Referred to Judiciary & Personnel Committees
- 1ST RDG 5. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/NORTHEAST OH LABOR MGMT CNCL IN AMT NOT TO EXCEED \$10,000.00 TO PROVIDE LABOR MANAGEMENT CONSULTATION SERVICES; AMEND O#1/2008 BY MAKING \$10,000.00 SUPP APPROP; EMERGENCY
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZE AUDITOR TO PAY \$14,000.00 MORAL OB TO AULTWORKS OCCUPATIONAL MEDICINE & PSYCHOLOGICAL & FAMILY CONSULTANTS; AMENDING O#1/2008 BY MAKING \$19,000.00 SUPP APPROP; EMERGENCY (NEW HIRES TO CFD & EXAM FOR MAJOR TO CPD)
Referred to Finance & Personnel Committees
- 1ST RDG 7. AMEND APPROP O#1/2008, AS AMENDED, BY MAKING VARIOUS SUPP APPROPS, APPROP TRANSFERS & INTERFUND TRANSFERS; EMERGENCY (GASOLINE & DIESEL FUEL)
Referred to Finance Committee
- 1ST RDG 8. AMEND APPROP O#1/2008, AS AMENDED, BY MAKING VARIOUS SUPP APPROPS; EMERGENCY (WATER WORKS)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#9 - O#18 WITH THE EXCEPTION OF O#16 & O#17 WHICH WERE RETAINED IN COMMITTEE)**

- 2ND RDG 9. AMEND O#55/77, AS AMENDED, ZONING; EMERGENCY (WAYNE MARION)
(JUD) **PUB HRG: 8/25/08 @ 7:30 PM**
- 2ND RDG 10. 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); EMERGENCY (ANNEX) **PUB HRG: 9/8/08 @ 7:30 P.M.**
- 2ND RDG 11. AUTHORIZE SERV DIR TO ENTER INTO LEASE AGMT W/NAT'L ASSOC FOR THE ADVANCEMENT OF COLORED PEOPLE; EMERGENCY (FIN)
- 2ND RDG 12. AUTHORIZE CITY TO ACCEPT DONATION OF REAL PROP FROM FRANK A. WILLIAMS (LOT#38521 ON FIELD ST NW) (C&ED)
- 2ND RDG 13. AUTHORIZE SERV DIR TO CONVEY CITY-OWNED REAL PROP, NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO CCIC; EMERGENCY (1114 GONDER AVE SE) (C&ED)
- 2ND RDG 14. AMEND SEC 521.08, LITTERING & DUMPING, OF CITY'S CODIFIED ORDINANCES (JUD)

2ND RDG 15. AMEND APPROP O#1/2008, AS AMENDED, BY MAKING VARIOUS SUPP APPROPS; EMERGENCY (FIN)
(HEALTH DEPT)

RETAINED IN

CMTE 16. AMEND EXHIBIT A TO O#40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL OF CITY; EMERGENCY (PER)

RETAINED IN

CMTE 17. AMEND EXHIBIT A TO O#164/2001, AS AMENDED, CLASSIFICATION PLAN FOR MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES OF CITY; EMERGENCY (PER)

2ND RDG 18. AUTHORIZE SERV DIR TO ENTER INTO AGMT W/ODOT FOR LIGHTING MAINTENANCE OF I-77 WITHIN CITY LIMITS; EMERGENCY (FIN)

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

116/2008 19. 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

117/2008 20. 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

118/2008 21. 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)

119/2008 22. AUTHORIZE EDITING & INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCE OF CANTON; EMERGENCY

120/2008 23. 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

DEFEATED 24. AMEND O#55/77, AS AMENDED, ZONING; EMERGENCY (ASIF YOUNUS)

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

121/2008 25. AUTHORIZE AUDITOR TO PAY \$600.00 MORAL OB TO DSR & ASSOC; EMERGENCY (FIRE DEPT)

122/2008 26. 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, SEPTEMBER 8, 2008 in Council Caucus @ 6:00 P.M.**

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

PUBLIC SPEAKS: Lois DiGiacomo re: Asking for support for the Canton Cabaret; Monique Conner re: President of the N.A.A.C.P. asking for support for organization to obtain office space at the Edward "Peel" Coleman Center from City; Jason Scaglione re: Giving thanks for some of the things seen in neighborhood. Stating that the Safety Director and Police have been wonderful and he is hoping to keep moving forward with the positive changes.

MISCELLANEOUS BUSINESS: President Schulman re: Moment of Silence for Congresswoman Stephanie Tubbs Jones and longtime Cleveland Councilmember Fannie Lewis; Member West re: Announcing that on 8/28/08 at 5:30 P.M. the Dr. Martin Luther King, Jr. sign will be unveiled with a march to follow from Tusc. & Cherry to the square; Also on 8/28/08 The Minority Health Coalition and Canton City Health Department will hold a National Chat at Kent State Stark Campus; Also on 8/28/08 at the Kresge Lot Barack Obama will be delivering a televised speech; Member Dougherty re: Reminding everyone about Feed the Needy being held on September 13, 2008. Also thanking all City Departments, Service Director, Safety Director, Police Chief, Kevin and Larry for all their help with The Northeast Mahoning Road Corridor event; Member Smith re: Thanking everyone that participated in the Ward 4 cleanup. Also inviting everyone to the Ward 4 Community Cookout at Crenshaw Park on 8/31/08; Law Director Martuccio re: Thanking Lois DiGiacomo for her time and recognizing the Players Guild for working together to bring money and entertainment into the City; President Schulman re: Advising that the arts bring in over two billion dollars in economic development.

ADJOURNMENT: 8:31 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, SEPTEMBER 8, 2008 @ 7:30 PM