

ROLL CALL: All Council Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Greg Hawk, Ward 1 Council Member

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#15 and 2nd Rdg O#16 - O#21; O#15 Adopted on 1st Rdg; O#19 & O#21 Adopted on 2nd Rdg; O#25 Defeated; O#28 Adopted as Amended)

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; LOCATED IN WARD 2 @ 634 WALKER COURT NE (RICHARD RODRIQUES) FROM R-1a (SINGLE FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS); PLANNING COMMISSION RECOMMENDED DENIAL **DEFEATED**
(No Speakers)
- 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; LOCATED IN WARD 6 @ 3745 KIRBY AVENUE NE (MR. LAVERNE DALE) FROM R-1a (SINGLE FAMILY RESIDENTIAL) TO PB-3 (PLANNED GENERAL BUSINESS); PLANNING COMMISSION RECOMMENDED APPROVAL **O#131/2011**
(No Speakers)

OLD BUSINESS (PUBLIC SPEAKS): Reviewed Pending Issues from Public Speaks

PUBLIC SPEAKS (CITY BUSINESS): Jason Scaglione re: Relayed ongoing issues in the fairground area; Pete DiGiacomo re: Feels that when people put comments on the Repository's website, they should use their real name; Patricia Kirk re: Discussed the problems with 9-1-1. Also stated that the retaining walls at the Kresge Lot have been built; John Stone re: Announcing that on Friday, August 12th the "Love Train" will be leaving Canton Cuyahoga Valley Scenic Railroad Station to Cleveland to have an event at the Rock n Roll Hall of Fame with the O'Jays and some other celebrity guests. Also stated that he is happy that Council starts their meetings with prayer.

INFORMAL RESOLUTIONS:

- #23. DOUGHERTY, D, WARD 6 CNCL MBR: CONGRATULATING & COMMENDING THE 2011 NE CANTON WEED & SEED LAWN MAINTENANCE TEAM & THE CRYSTAL PARK NEIGHBORHOOD ASSOC. - ADOPTED

COMMUNICATIONS:

271. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERTIFICATION DATED 7/28/11. - RECEIVED & FILED
272. AUDITOR MALLONN: YEARLY RPT BY FUND 1/1/11 - 7/29/11. - RECEIVED & FILED
273. AUDITOR MALLONN: MONTHLY RPT BY FUND 7/1/11 - 7/29/11. - RECEIVED & FILED
274. BUTTERWORTH, M, WARD 8 CNCL MBR: REQ TO AMEND SEC 911.02 TO HAVE ONLY ONE CONTIGUOUS DRIVEWAY PER PROPERTY IN THE CITY. - JUDICIARY COMMITTEE
275. COMMUNITY DEV DIRECTOR WILLIAMS: ESTABLISH FAIR REUSE VALUE OF REAL PROPERTY & AUTHORIZE DISPOSITION OF SAID PROPERTY (CANTON COMMUNITY IMPROVEMENT CORP) PARCEL #02-44303 ON MCGREGOR AVE NW). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
276. DEPARTMENT OF COMMERCE: NOTICE OF HRG REGARDING TRANSFER OF OWNERSHIP APPLICATION FOR DANNY FRAME, MANAGING MEMBER, FRAME'S TAVERN, LLC @ 1ST FLOOR & BASEMENT 1600 BRYAN AVENUE SW ON 8/12/11 @ 10:30 AM @ THE STARK CNTY DEPT OF JOB & FAMILY SVCS @ 221 THIRD ST SE. - RECEIVED & FILED
277. FINANCE DIRECTOR DIRUZZA: REQ TO AMEND APPROP O#245/2010 W/ VARIOUS SUPP APPROPS & APPROP TRANSFERS NECESSARY TO CONTINUE TO OPERATE CITY EFFICIENTLY. - FINANCE COMMITTEE
278. HARPER, PAMELA, APPLICANT: APPLICATION TO VACATE PORTION OF ALTA CT NW BETWEEN WOODLAND AVE NW & MINERVA CT NW. - PLANNING COMMISSION
279. LAW DIRECTOR MARTUCCIO: REQ LEGISLATION TO ELIMINATE CONFLICTING PROVISIONS IN CHAPTER 947 (SEWER RATES) WHICH HAVE BEEN RECENTLY DISCOVERED (RATE FOR NON-RESIDENTIAL USERS OF SANITARY SEWER SYSTEM OF THE CITY WHO ARE NOT CONNECTED TO CITY WATER SVCS. - JUDICIARY COMMITTEE
280. LIQUOR CONTROL DIVISION: REQ NEW D2 LIQUOR PERMIT FOR AURICLE LTD DBA THE AURICLE @ SUITE AA-10 & SOLARIUM 601 CLEVELAND AVE NW. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

281. SAFETY DIRECTOR REAM: DECLARE 22 BUILDINGS UNSAFE & HAZARDOUS FOR WHICH DEMO IS REQUIRED. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
282. SERVICE DIRECTOR PRICE: REQ TO ENTER INTO CONTRACT W/BOBCAT COMPANY IN AMT OF \$57,978.92 FOR PURCHASE OF ONE COMPACT EXCAVATOR, ALONG W/BUCKET ATTACHMENTS FOR COLLECTIONS SYS DEPT. - FINANCE & PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
283. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 7/31/11. - RECEIVED & FILED
284. TREASURER SCHIRACK: RPT OF DEPOSITS & PAY INS FOR JULY 2011 TO AMBULANCE LOCK BOX. - RECEIVED & FILED
285. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR MONTH OF JULY 2011. - RECEIVED & FILED
286. TREASURER SCHIRACK: BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 7/29/11. - RECEIVED & FILED
287. WILLIAMS, F, COMM DEV DIRECTOR: AMEND O#72/2011 TO INCLUDE LANGUAGE MAKING ORDINANCE RETRO TO 1/1/11. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND O#72/2011; EMERGENCY (AMENDING THE EFFECTIVE DATE)
Referred to Community & Economic Development Committee
- 1ST RDG 2. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS THE ARMORY ANNEXATION AREA CONTAINING APPROX 1.368 ACRES; ASSIGNING SAID TERRITORY TO WARD 1; ZONING SAID TERRITORY AS PB-1 (PLANNED OFFICE BUSINESS); EMERGENCY **PUB HRG: 9/12/11 @ 7:30 PM**
Referred to Annexation Committee
- 1ST RDG 3. AMEND CHAPTER 1132, FLOOD HAZARD (FH) DISTRICT OF CODIFIED ORDINANCES; EMERGENCY
Referred to Judiciary Committee **PUB HRG: 9/12/11 @ 7:31 PM**
- 1ST RDG 4. AUTHORIZE SERV DIR TO ENTER INTO A FIVE YEAR CONTRACT W/GREENER CORNERS LLC FOR PURPOSE OF INSTALLING RECYCLING RECEPTACLES ON CITY OWNED PROP; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. AMEND APPROP O#245/2010, AS AMENDED, BY MAKING \$870,000.00 SUPP APPROP; EMERGENCY (POLICE & FIRE PERSONAL SVCS)
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT W/CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE A GRANT IN AMT NOT TO EXCEED \$175,000.00 FOR COMPREHENSIVE ECONOMIC & DOWNTOWN DEV PROG; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 7. CHANGING THE FUND TITLE 2323 RYAN WHITE GRANT FUND; AMEND APPROP O#245/2010 BY MAKING \$158,000.00 SUPP APPROP; EMERGENCY
Referred to Finance Committee
- 1ST RDG 8. AMEND O#100/2011, CLASSIFICATION PLAN & SALARIES FOR ALL MGMT & NON-BARGAINING UNIT EMPLOYEES; EMERGENCY (MAYOR'S CABINET/POLICE/FIRE CHIEFS)
Referred to Personnel & Finance Committees
- 1ST RDG 9. AUTHORIZE SAF DIR TO ACCEPT GRANT FROM THE OHIO DEPT OF PUB SAF IN AMT NOT TO EXCEED \$3,000.00; AMEND APPROP O#245/2010; EMERGENCY
Referred to Finance Committee
- 1ST RDG 10. ESTABLISH FAIR MKT VALUE OF REAL PROP; ESTABLISH PURCHASE PRICE OF PARCEL INCLUDING MINERAL RIGHTS OF \$11,300.00; AUTHORIZE SERV DIR TO ENTER INTO AGMT FOR PURCHASE OF SAID PARCEL; AUTHORIZE MAYOR &/OR SVC DIR TO APPLY FOR, ENTER INTO AGMT & RECEIVE FUNDS IN AMT OF \$12,062.00 FROM CLEAN OH CONSERVATION FUND; RESERVE PROP FOR PURPOSES OF PRESERVATION OF WATER FORESTRY & OTHER NATURAL RESOURCES; EMERGENCY
Referred to Finance Committee
- 1ST RDG 11. ESTABLISH FAIR MKT VALUE OF EASEMENTS IN REAL PROP; AUTHORIZE MAYOR OR SERV DIR TO NEGOTIATE & ACQUIRE EASEMENTS; EMERGENCY (NAVARRE ROAD SIGNAL SYSTEM PROJ)
Referred to Environmental & Public Utilities Committee
- 1ST RDG 12. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$94,594.50 TO STANLEY MILLER CONSTRUCTION & \$34,000.00 TO BURGESS & NIPLE; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 13. APPROVE A CANTON CITY WATER MAIN EXTENSION TO PLAIN TWP; AUTHORIZE SERV DIR TO ENTER INTO CONTRACT FOR EXTENSION OF SAID WATER MAIN; EMERGENCY
Referred to Environmental & Public Utilities Committee
- 1ST RDG 14. AUTHORIZE SERV DIR TO ENTER INTO AN AMENDED CONTRACT WITH M-E COMPANIES FOR ADDT'L AMT NOT TO EXCEED \$95,560.00 FOR EASEMENT WORK; AMENDING APPROP O#245/2010 BY MAKING \$1,779,953.70; EMERGENCY
Referred to Finance Committee

(COUNCIL RECESSED AT 8:03 P.M. FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #15; RECONVENED AT 8:06 P.M.)

- 125/2011 15. DECLARE 22 BLDGS TO BE PUB NUISANCES; AUTHORIZE SAF DIR TO ENTER INTO CONTRACT FOR THE DEMO OF SAID BLDGS; AUTHORIZE CLERK OF COUNCIL TO CERTIFY THE COSTS OF DEMO TO STARK COUNTY AUDITOR; EMERGENCY
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#16 - O#21; O#19 & O#21 ADOPTED)

- 2ND RDG 16. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT W/YOUNG MEN'S CHRISTIAN ASSOC (YMCA) TO PROVIDE A GRANT UTILIZING CDBG FUNDS IN AN AMT NOT TO EXCEED \$40,000.00 FOR THE OVERALL MGMT AND SUPERVISION OF THE FACILITY & PROG AT THE EDWARD "PEEL" COLEMAN CTR; EMERGENCY (C&ED)
- 2ND RDG 17. AMEND APPROP O#245/2010; EMERGENCY (\$50,000.00 COMMUNITY DEVELOPMENT - DEMOLITION - OTHER, BOARD UPS, TITLE SEARCHES, ETC.) (C&ED)
- 2ND RDG 18. AMEND APPROP O#245/2010; EMERGENCY (\$30,000.00 COMMUNITY DEVELOPMENT - PERSONNEL) (C&ED)
- 126/2011 19. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT W/GOODWILL INDUSTRIES OF GREATER CLEVELAND & EAST CENTRAL OHIO, INC. TO PROVIDE AN ECONOMIC DEVELOPMENT GRANT UTILIZING CDBG FUNDS IN AN AMT NOT TO EXCEED \$50,000.00 FOR COMM CAMPUS PROJECT PHASE III FOR THE PURPOSE OF EXPANDING THE CANTON COMMUNITY CLINIC; EMERGENCY (C&ED)
- 2ND RDG 20. AMEND APPROP O#245/2010; EMERGENCY (\$406,000.00 WATER FUND; \$9,100.00 SEWER FUND; \$10,600.00 SANITATION FUND) (FIN)
- 127/2011 21. AMEND APPROP O#245/2010; EMERGENCY (\$50,000.00 YOUTH DEVELOPMENT - SUMMER EMPLOYMENT - PERSONNEL) (C&ED)

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

- 128/2011 22. AUTHORIZE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM BISHOP OF DIOCESE OF YOUNGSTOWN (PART OF LOT 14345 ON 7TH ST NE)
- 129/2011 23. AUTHORIZE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM BISHOP OF DIOCESE OF YOUNGSTOWN (PART OF LOT 6289 ON 7TH ST NE)
- 130/2011 24. AUTHORIZE ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL ELECTRICITY AGGREGATION PROG W/OPT-OUT PROVISIONS PURSUANT TO ORC SEC 4928.20; DIRECTING STARK COUNTY BD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS; EMERGENCY
- DEFEATED** 25. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (RICHARD RODRIQUES, 634 WALKER CT NE) **PUB HRG: 8/8/11 @ 7:30 PM**
- 131/2011 26. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (LAVERNE DALE, 3745 KIRBY AVENUE NE) **PUB HRG: 8/8/11 @ 7:31 PM**
- 132/2011 27. AUTHORIZE SERV DIR TO ENTER INTO 3-YR PROF SVCS CONTRACT W/WARWICK COMMUNICATIONS, INC IN AN AMOUNT NOT TO EXCEED \$37,020.00 FOR ONGOING SUPPORT & MAINTENANCE OF THE CITY-WIDE TOSHIBA TELEPHONE SYSTEM; EMERGENCY

AMENDED

- 133/2011 28. ADOPTING THE CITY'S ALTERNATE TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012; EMERGENCY
- 134/2011 29. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A CONSULTANT CONTRACT WITH W.E. QUICKSALL AND ASSOC, INC FOR THE ORCHARD VIEW/ARGYLE-ARGYLE/HEDGEROSE INTERSECTION IMPROVEMENT PROJ GP 1110; AMEND APPROP O#245/2010; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO COOP AGMTS W/OTHER PROJ STAKEHOLDERS; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, AUGUST 22, 2011 in Council Chamber at 6:15 P.M.**

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

MISCELLANEOUS BUSINESS: Member Hawk re: Thanked and commended the NE Canton Weed and Seed for all their hard work they've done in their community. Also feels that we should all remember Sergeant Mark Fox and Patrol Officer Jack Crider who both were instrumental in starting the Weed and Seed Programs; Service Director Price re: Discussed the way Council voted for Ordinance #25; Member Cirelli re: Asked how much the City has billed and collected for grass cutting this year; Service Director Price re: Stated that he would gather that information and send a report to Council; Member West re: Explained why Ordinance #25 was defeated. Also congratulated Patricia Kirk for her hard work at the Kresge Lot and John Stone for putting together the Love Train event; Member Griffin re: Relayed information about the successful recent 5 day softball tournament and announced an upcoming fast pitch tournament to be held at Willig Field; Member Hawk re: Thanked Member Griffin for a job well done at Willig Field. Also stated that he would like the City to be more aggressive in collecting for grass cutting and would like to enforce the high grass Ordinance; Mayor Healy re: Thanked John Stone and Patricia Kirk for what they've done. Also thanked the NE Weed and Seed folks for all that they've done. Also wanted Council recognized for changing the demolition process by expediting the demo Ordinances. Also complimented the City workers and volunteers for the all the hard work in preparing for the HOF. Lastly thanking everyone, involved with the start up of the call center, especially Council.

ADJOURNMENT: 8:36 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 22, 2011 @ 7:30 PM