

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

MARCH 3, 2003

ROLL CALL: 11 present, 1 absent (Member Mroczkowski)
INVOCATION: Given by 7th Ward Councilmember Richard D. Hart
PLEDGE OF ALLEGIANCE: Led by President of Council Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 24B to add Informal Resolutions #18-20; Suspended Rule 22A to add 2nd Rdg Ordinances #6-16; Adopted 2ND Rdg Ordinance #13; Postponed 3rd Rdg Ordinance #18)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

VICE PRESIDENT SMUCKLER: EXCUSING MEMBER MROCKOWSKI.

SUSPENDED RULE 24B TO ADD #18-20:

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| 18. ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE: | RECOMMENDING THE LAW DIRECTOR PREPARE LEGISLATION WAIVING THE 2.4 INCREASE IN SEWER RATES. - ADOPTED & LAW DIRECTOR |
| 19. ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE: | AUTHORIZING THE SERVICE DIRECTOR TO SUBMIT A NOTICE OF INTENT TO DISCHARGE STORM WATER UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM. - ADOPTED |
| 20. INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE: | RECOMMENDING THE LAW DIRECTOR PREPARE LEGISLATION WHEREBY THE STARK COUNTY COMMISSIONERS & THE CITY OF CANTON JOINTLY AGREE TO ACCEPT THE DONATION OF THE EMERGENCY NOTIFICATION SYSTEM FROM THE MARATHON-ASHLAND PETROLEUM COMPANY. - ADOPTED & LAW DIRECTOR |
| 21. PERSONNEL COMMITTEE: | COUNCIL CONFIRMS THE MAYOR'S REAPPOINTMENT OF JAMES "JEFF" SMITH TO SERVE AS A MEMBER ON THE CONSTRUCTION BOARD FOR THE TERM 3/1/03-2/28/06 - ADOPTED (<u>See Communication #96</u>) |
| 22. SMUCKLER, MAJORITY LEADER: | COUNCIL CONFIRMS THE APPOINTMENT OF COUNCILMEMBER CRAIG MASSEY TO SERVE AS A MEMBER ON THE COMMUNITY REINVESTMENT AREA HOUSING COUNCIL FOR THE TERM 3/1/03-2/28/06. - ADOPTED |

COMMUNICATIONS:

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| 91. CANTON TWP BD OF TRUSTEES: | CHRISTOPHER NICHOLS & CLERK SHERI GRIFFITH HAVE BEEN NAMED TO SERVE ON THE COMMITTEE STIPULATED IN THE CEDA ANNEXATION AGREEMENT. - RECEIVED & FILED |
| 92. HEALTH BENEFITS ADMINISTRATOR BRESSON: | JANUARY 2003 MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JANUARY 2003 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED |
| 93. LIQUOR CONTROL DIVISION, STATE OF OHIO: | NOTIFICATION THAT SEAN SNYDER HAS REQUESTED A TRANSFER OF OWNERSHIP & LOCATION RE: D5 LIQUOR PERMIT @ 220 MARKET AVENUE NORTH, CURRENTLY HELD BY ANDRE'S @ 331 CLEVELAND NW. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE |
| 94. LIQUOR CONTROL DIVISION, STATE OF OHIO: | NOTIFICATION THAT THE HEARING SCHEDULED FOR 3/12/03 HAS BEEN CONTINUED RE: OBJECTION TO 2003 RENEWAL OF D1,2,3,3A LIQUOR PERMIT REQUESTED BY FRAME'S TAVERN @ 1600 BRYAN AVENUE SW. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE |
| 95. LIQUOR CONTROL DIVISION, STATE OF OHIO: | NOTIFICATION THAT THE HEARING SCHEDULED FOR 3/12/03 HAS BEEN CONTINUED RE: OBJECTION TO C1,2,D6 LIQUOR PERMIT REQUESTED BY LA TIENDA HISPANA OVIEDOS @ 909 12 TH STREET NW. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE |
| 96. MAYOR WATKINS: | REQUESTING COUNCIL AUTHORIZATION OF THE REAPPOINTMENT OF JAMES "JEFF" SMITH TO THE CANTON CONSTRUCTION BOARD FOR THE TERM 3/1/03-2/28/06 - PERSONNEL COMMITTEE (<u>See Resolution #21</u>) |

COMMUNICATIONS - CONTINUED

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| 97. SERVICE DIRECTOR MILLER: | REQUEST TO ENTER INTO \$22,450 AGREEMENT WITH OSBORN ARCHITECTS AND ENGINEERS FOR PHASE 2, CANTON STATION RE: SCENIC RAILROAD PROJECT. - LAW DIRECTOR (<u>See O#2, 1st Rdg</u>) |
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98. SERVICE DIRECTOR MILLER: REQUEST TO ENTER INTO WORK AGREEMENTS & ESTABLISH FAIR MARKET VALUE OF PROPERTY IN CONJUNCTION WITH 4TH STREET NE RECONSTRUCTION PROJECT; & REQUEST TO PURCHASE SAID PARCELS AT ESTABLISHED FMV AND ENTER INTO WORK AGREEMENTS AND SANITARY SEWER EASEMENTS. - LAW DIRECTOR (See O#3, 1st Rdg)
99. SERVICE DIRECTOR MILLER: REQUEST TO ADVERTISE, RECEIVE BIDS & ENTER \$550,000 CONTRACT TO "MOTH-BALL" 8 DIGESTERS; REQUEST TO ENTER INTO \$23,900 CONTRACT WITH CT CONSULTANTS FOR ENGINEERING SERVICES; & REQUEST \$573,900 SUPPLEMENTAL APPROPRIATION FROM THE 5410 SANITARY SEWER FUND. - LAW DIRECTOR (See O#4, 1st Rdg)

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A \$15,540.75 CONTRACT WITH NORRIS AUTO MALL FOR PURCHASE OF ONE VEHICLE FOR THE HEALTH DEPARTMENT PURSUANT TO ORC 125.04; & AUTHORIZING AN \$852 CONTRACT FOR PURCHASE OF RELATED EQUIPMENT; EMERGENCY
Referred to Public Property & Capital Improvement and Finance Committees
- 1ST RDG 2. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A \$22,450 AGREEMENT WITH OSBORN ARCHITECTS & ENGINEERS FOR PHASE 2, FINAL SITE DEVELOPMENT, OF THE FUTURE CANTON STATION ALONG THE SCENIC RAILROAD; EMERGENCY
Referred to Community & Economic Development and Finance Committees
- 1ST RDG 3. ESTABLISHING FAIR MARKET VALUE OF PROPERTY IN THE 4TH ST NE RECONSTRUCTION PROJECT; AUTHORIZING THE SERVICE DIRECTOR TO NEGOTIATE & PURCHASE SAID PARCELS AT THE ESTABLISHED FMV, ENTER INTO WORK AGREEMENTS & SANITARY SEWER EASEMENTS; EMERGENCY
Referred to Community & Economic Development and Finance Committee
- 1ST RDG 4. AUTHORIZING SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO \$550,000 CONTRACT FOR THE CONSTRUCTION ASPECT OF THE WPCC DIGESTER PROJECT; AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A \$23,900 CONTRACT WITH CT CONSULTANTS INC FOR ENGINEERING SERVICES; & AMENDING o.236/2002 FOR A \$573,900 SUPPLEMENTAL APPROPRIATION FROM THE 5410 SANITARY SEWER FUND; EMERGENCY
Referred to Environmental & Public Utilities and Finance Committees
- 1ST RDG 5. AUTHORIZING THE SERVICE DIRECTOR TO ACCEPT AN EXISTING PRIVATE DRAINAGE EASEMENT, INVESTIGATE IMPROVEMENTS TO THE DRAINAGE SYSTEM; ENTER INTO EASEMENT AGREEMENTS; EMERGENCY
Referred to Environmental & Public Utilities Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:SUSPENDED RULE 22A TO ADD O#6-16 TO THE AGENDA:

- 2ND RDG 6. AMENDING CITY CODE SECTION 125.02 TO INCREASE NONPAYMENT CHECK FEE TO \$25.00.
- 2ND RDG 7. AMENDING O.236/2002 TO APPROPRIATE MONEY FOR 2003 MOTOR VEHICLE PURCHASES IN AMOUNT OF \$1,041,086, ETC.; EMERGENCY
- 2ND RDG 8. AMENDING MANAGEMENT/NON-BARGAINING PERSONNEL O.164/2001 TO REPLACE EXISTING EXHIBIT A BY THE DELETION OF NUMEROUS VACANT POSITIONS & REORGANIZING COSTS TO GENERAL FUND; EMERGENCY
- 2ND RDG 9. AMENDING CITY CODE SECTION 1161.10 RE: FEES FOR ZONING PERMITS.
- 2ND RDG 10. VACATING A PORTION OF WERTZ AVENUE NW ALONG PART OF OUTLOT 528 AS REQUESTED BY SERVICE DIRECTOR MILLER; EMERGENCY. **PUB HRG 3/10/03 @ 7:30 PM**
- 2ND RDG 11. APPROVING & ACCEPTING THE REPLATTING & RENUMBERING OF LOT #35828 AS REQUESTED BY EVERETT & SUSAN DANIELS IN THE AREA EAST OF LOGAN AVE, SOUTH OF 47th STREET NW; EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING - CONTINUED:

- 2ND RDG 12. APPROVING & ACCEPTING THE REPLATTING & RENUMBERING OF OUTLOTS 256 & 257 LOCATED EAST OF MARKET AVE N, SOUTH OF 14TH ST NE, & WEST OF WALNUT NE AS REQUESTED BY COOPER & ASSOCIATES ON BEHALF OF CANTON SCHOOL EMPLOYEES FEDERAL CREDIT UNION; EMERGENCY
- 34/2003** 13. AUTHORIZING CITY AUDITOR TO PAY A \$26,000 MORAL OBLIGATION TO ANNIHILATION WRECKING INC FOR ASBESTOS REMOVAL AT DEMOLITION OF PROPERTY @ 1003 12TH ST NW; EMERGENCY
- 2ND RDG 14. AMENDING O.236/2002 FOR \$350,000 SUPPLEMENTAL APPROPRIATION FROM THE 5410 SANITARY SEWER FUND TO IMPLEMENT THE RESIDENTIAL WATER RUN-OFF IMPROVEMENT PROGRAM; EMERGENCY

2ND RDG 15. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$24,968 AGREEMENT WITH HAMMONTREE & ASSOCIATES FOR ENGINEERING SERVICES FOR THE FULTON ROAD/PARK INTERSECTION IMPROVEMENT GP 1077; AUTHORIZING THE CITY AUDITOR TO ESTABLISH THE 4549 FULTON ROAD/PARK INTERSECTION IMPROVEMENT GP 1077 FUND; & AMENDING O.236/2002 FOR A \$24,968 SUPPLEMENTAL APPROPRIATION FROM THE 4549 FULTON ROAD/PARK INTERSECTION IMPROVEMENT GP 1077 FUND; EMERGENCY

2ND RDG 16. AUTHORIZING SERVICE DIRECTOR TO EXECUTE A PARTICIPATION AGREEMENT WITH STARK COUNTY COMMISSIONERS TO DEVELOP A CONTINUOUSLY OPERATING REFERENCE STATION (CORS) GLOBAL POSITIONING SYSTEM; & AMENDING O.236/2002 FOR \$31,000 SUPPLEMENTAL APPROPRIATIONS FROM THE 5410 SANITARY SEWER FUND & 5201 WATER FUND; EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

35/2003 17. AMENDING O.8/2003 RE: AUTHORIZING DIRECTOR OF PUBLIC SERVICE TO ENTER INTO PROFESSIONAL SERVICES CONTRACTS FOR HEALTH CARE BENEFITS ADMINISTRATION & STOP-LOSS INSURANCE FOR CITY EMPLOYEES; EMERGENCY

POSTPONED TO

3/10/03 18. AMENDING CITY CODE CHAPTER 787 RE: SEXUALLY- ORIENTED BUSINESSES; EMERGENCY

36/2003 19. ESTABLISHING THE FAIR MARKET VALUE OF 1 CITY-OWNED PARCEL ON ALLEN AVE SE; AUTHORIZING SALE & CONVEYANCE PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY

37/2003 20. AUTHORIZING CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY LOCATED ON BENTLEY PLACE NE; EMERGENCY

38/2003 21. ESTABLISHING THE FAIR MARKET VALUE OF 2 PARCELS IN CONJUNCTION WITH 35TH STREET NE STORM SEWER PROJECT; AUTHORIZING DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE TEMPORARY EASEMENTS & LAND IMPROVEMENTS; EMERGENCY

39/2003 22. ESTABLISHING THE FAIR MARKET VALUE OF 1 CITY-OWNED PARCEL ON 2ND STREET NE; AUTHORIZING SALE & CONVEYANCE PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, MARCH 10, 2003 @ 5:30 PM

1. Community & Economic Development
2. Public Property Capital Improvement Committee
3. Finance Committee
4. Environmental & Public Utilities

MONDAY, MARCH 10, 2003 @ 6:00 PM

1. Finance Committee re: 2003 appropriations

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): (Council heard one speaker)

MISCELLANEOUS BUSINESS

ADJOURNMENT TIME: 8:09 PM

THE NEXT REGULAR CITY COUNCIL MEETING WILL BE HELD MONDAY, MARCH 17, 2003 @ 7:30 PM