

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

APRIL 28, 2003

ROLL CALL: 12 Present, 0 Absent

INVOCATION: Given by 3RD Ward Councilmember R. A. Mallonn II

PLEDGE OF ALLEGIANCE: Led by President of Council President Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#6-9; Amended O#24)

PUBLIC HEARINGS: (None)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): (NO PUBLIC SPEAKERS)

INFORMAL RESOLUTIONS:

- VICE PRESIDENT SMUCKLER: EXCUSING MEMBERS (NOT NECESSARY, ALL MEMBERS PRESENT)
43. MASSEY, WARD 4 MEMBER: COMMENDING VOLUNTEERS WHO CONTRIBUTED TO A MASSIVE CLEAN UP OF HISTORIC ROWLAND CEMETERY. - ADOPTED
44. SMUCKLER, AT-LARGE MEMBER: COMMENDING MARK RUDNER FOR BEING HONORED WITH THE CANTON JEWISH COMMUNITY CENTER'S SANFORD & JACOB FURMAN AWARD. - ADOPTED
45. SMUCKLER, AT-LARGE MEMBER: COMMENDING DR. CLIFFORD JOHNSON FOR BEING HONORED WITH THE CANTON JEWISH COMMUNITY CENTER'S DR. H. L. GINSBURG AWARD. - ADOPTED
46. SMUCKLER, AT-LARGE MEMBER: COMMENDING DRENNIA PALLOTTA FOR BEING HONORED WITH THE CANTON JEWISH COMMUNITY CENTER'S A. L. HELLING AWARD. - ADOPTED
47. SMUCKLER, AT-LARGE MEMBER: COMMENDING REBECCA LIBSTER FOR BEING HONORED WITH THE CANTON JEWISH COMMUNITY CENTER'S A. L. HELLING AWARD. - ADOPTED
48. SMUCKLER, AT-LARGE MEMBER: COMMENDING LARRY LIBSTER FOR BEING HONORED WITH THE CANTON JEWISH COMMUNITY CENTER'S A. L. HELLING AWARD. - ADOPTED
49. SMUCKLER, AT-LARGE MEMBER: COMMENDING ANDREW SPERA FOR BEING HONORED WITH THE CANTON JEWISH COMMUNITY CENTER'S GARY D. SHIFMAN AWARD. - ADOPTED

COMMUNICATIONS:

163. MICHAEL A. GRAVILLA/
CANTON CITY SCHOOLS: REQUEST TO REZONE LOTS 4501 & 4502 LOCATED AT 400-409 FULTON NW FROM R-1A TO PB-4 PLANNED BUSINESS DISTRICT TO RELOCATE "CLEAN-UPS BY MIKE" FROM NORTHEAST CORNER TO SOUTHEAST CORNER OF FULTON & 4TH NW. - PLANNING COMMISSION
164. LAMBOS INVESTMENT PARTNERS: REQUEST TO REZONE LOTS 16240, 16241, 39877, 39878 & 39880 LOCATED AT 121 SMITH AVENUE NW FROM R-1A TO PB-3 PLANNED GENERAL BUSINESS TO PROVIDE ADDITIONAL PARKING & ALLOW A LONGER DRIVE THRU IN THE CONSTRUCTION OF A NEW RESTAURANT . - PLANNING COMMISSION
165. LIQUOR CONTROL DIVISION,
STATE OF OHIO: NOTIFICATION OF HEARING TO BE HELD 5/7/03 AT 11:00 A.M. AT CITY HALL COUNCIL CAUCUS RM RE: C1,C2,D6 LIQUOR PERMIT APPLICATION REQUESTED BY LA TIENDA HISPANA OVIEDOS CORP. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
166. LIQUOR CONTROL DIVISION,
STATE OF OHIO: REQUEST FOR NEW C1,2 LIQUOR LICENSE BY TRAIISH ENTERPRISES, dba CHERRY MARKET LOCATED @ 1494 CHERRY AVE SE. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

COMMUNICATIONS - CONTINUED:

167. LIQUOR CONTROL DIVISION,
STATE OF OHIO: REQUEST FOR NEW D5 LIQUOR LICENSE BY TODD DIMICHELE, dba STARK COUNTY SPORTS CLUB LOCATED @ 508 CLEVELAND AVE NW. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

168. MAYOR WATKINS & FINANCE
CHAIRMAN MROCZKOWSKI: REQUEST TO ADOPT LEGISLATION WHICH WILL LEVY A \$5 ANNUAL MOTOR VEHICLE LICENSE TAX ON VEHICLES REGISTERED IN CITY OF CANTON. - LAW DIRECTOR (See O#3, 1st RDG)
169. SAFETY DIRECTOR CONCATTO: REQUEST AUTHORIZATION TO REQUEST ODOT TO PROCEED WITH INTERSECTION UPGRADES FOR 23 INTERSECTIONS ALONG CLEVELAND AVE NW FROM 8th ST NW TO 47th ST NW, AUTHORIZE MAYOR TO EXECUTE & ENTER INTO THE CONTRACT, & DIRECT CLERK OF COUNCIL TO TRANSMIT AN EXECUTED COPY OF THE ORDINANCE. - LAW DIRECTOR (See O#4, 1st Rdg)
170. SERVICE DIRECTOR MILLER &
SAFETY DIRECTOR CONCATTO: REQUEST TO ADVERTISE, RECEIVE BIDS & CONTRACT &/OR ALTERNATIVELY ENTER INTO A COOPERATIVE PURCHASING AGREEMENT FOR THE PURCHASE OF VARIOUS VEHICLES FROM THE 4502 CAPITAL BUDGET. - LAW DIRECTOR (See O#5, 1st Rdg)

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. APPROVING & ACCEPTING THE REPLATTING & RENUMBERING OF PART OF LOT #35828 OWNED BY EVERETT & SUSAN DANIELS; EMERGENCY.
Referred to Public Safety & Thoroughfares Committee.
- 1ST RDG 2. AMENDING ZONING O.55/77 TO REZONE LOT #30917 LOCATED AT 3625 WEST TUSC AS REQUESTED BY THOMAS KRUPAR FOR A PHYSICAL THERAPY OFFICE; EMERGENCY. **PUB HRG 5/19/03 @ 7:30 PM**
Referred to 2nd Rdg, next agenda.
- 1ST RDG 3. IMPOSING A MOTOR VEHICLE LICENSE TAX PURSUANT TO OHIO REVISED CODE SECTION 4504.172.
Referred to Public Safety & Thoroughfares and Finance Committees.
- 1ST RDG 4. AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE UPGRADING OF INTERSECTIONS ALONG CLEVELAND AVENUE NW FROM 8^H STREET NW TO 47TH STREET NW; EMERGENCY.
Referred to Public Safety & Thoroughfares and Finance Committees.
- 1ST RDG 5. AUTHORIZING THE SERVICE DIRECTOR &/OR SAFETY DIRECTOR TO ADVERTISE, RECEIVE BIDS & CONTRACT FOR THE PURCHASE OF VARIOUS MOTOR VEHICLES & OTHER ITEMS OF RELATED EQUIPMENT FOR VARIOUS CITY DEPARTMENTS; AUTHORIZING THE SERVICE DIRECTOR &/OR SAFETY DIRECTOR TO ALTERNATIVELY PURCHASE SAID VEHICLES & EQUIPMENT PURSUANT TO REVISED CODE SECTIONS 125.04 & 5513.01; EMERGENCY.
Referred to Public Property Capital Improvement and Finance Committees.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**RULE 22A SUSPENDED TO ADD ORDINANCES #6-9:**

- 2ND RDG 6. AUTHORIZING CITY AUDITOR TO ESTABLISH 2425 LAW DEPARTMENT DISPUTE RESOLUTION FUND.
- 2ND RDG 7. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH OHIO POWER COMPANY DBA AMERICAN ELECTRIC POWER TO PROVIDE ENERGY TO WPCC; EMERGENCY
- 2ND RDG 8. AUTHORIZING SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR IRA TURPIN WAY NE IMPROVEMENT PROJECT (NEW CURB & GUTTER, CURB, HANDICAP RAMPS, & REPAIR SECTIONS OF THE STREET & SIDEWALK FROM ROSS AVE TO 125' EAST OF MARION MOTLEY AVE NE); EMERGENCY
- 2ND RDG 9. AUTHORIZING & CONSENTING TO REMOVAL & REPLACEMENT OF DECK ON THE CHERRY AVE SE STRUCTURE OVER CSX, N&S & CONRAIL TRACKS UNDER ODOT SUPERVISION; EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- 70/2003** 10. AMENDING CODIFIED ORDINANCE SECTION 151.08(b), OVERTIME & COMPENSATORY TIME FOR NONEXEMPT & EXEMPT EMPLOYEES; EMERGENCY
- 71/2003** 11. AMENDING CONTRACT BETWEEN AFSCME LOCAL 3449, OHIO COUNCIL 8 AND CITY OF CANTON TO ESTABLISH THE CLASSIFICATION SENIOR CODE ENFORCEMENT OFFICER; EMERGENCY
- 72/2003** 12. AMENDING EXHIBIT A OF O.40/2000, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL, TO ADD CLASSIFICATION SENIOR CODE ENFORCEMENT OFFICER; EMERGENCY
- 73/2003** 13. AUTHORIZING SAFETY DIRECTOR TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR PURCHASE OF HV/AC SYSTEM FOR THE TRAFFIC SIGN & PAINT FACILITY IN AMOUNT NOT TO EXCEED \$44,000; EMERGENCY
- 74/2003** 14. AUTHORIZING SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR PURCHASE OF PORTABLE BLEACHERS; EMERGENCY
- 75/2003** 15. ESTABLISHING FAIR MARKET VALUE OF PARCEL NOS. 02-84900 AND 02-43805; AUTHORIZING TEMPORARY EASEMENTS & SALE & CONVEYANCE OF SAME AS PART OF THE RT 77 WIDENING PROJECT PHASE II; EMERGENCY
- 76/2003** 16. AUTHORIZING WAIVING ANNUAL ADJUSTMENT TO THE BASE SEWER RATE ESTABLISHED BY CONSUMER PRICE INDEX PURSUANT TO SECTION 947.06 OF THE CODIFIED ORDINANCES; EMERGENCY
- 77/2003** 17. AUTHORIZING ADMINISTRATION AND COUNCIL TO ACCEPT EMERGENCY TELEPHONE NOTIFICATION SYSTEM; EMERGENCY
- 78/2003** 18. ESTABLISHING THE FAIR MARKET VALUE OF 3 PARCELS IN CONJUNCTION WITH THE SCENIC RAILROAD PROJECT; AUTHORIZING MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE & PURCHASE SAID PARCELS AT ESTABLISHED FAIR MARKET VALUE; EMERGENCY
- 79/2003** 19. EXTENDING FILING DATE OF CITY INCOME TAX FOR MILITARY RESERVISTS CALLED TO ACTIVE DUTY OR RECENTLY DISCHARGED FROM ACTIVE DUTY FOR OPERATION IRAQI FREEDOM; EMERGENCY
- 80/2003** 20. NAMING A 20' UNNAMED ALLEY BETWEEN TUSC & 2ND SE "LONG PLACE SE."
- 81/2003** 21. NAMING THE FIRST 15' UNNAMED ALLEY EAST OF HARTFORD SE "RANDLE COURT SE."
- 82/2003** 22. NAMING THE FIRST 12' UNNAMED ALLEY WEST OF COOK AVE SW "LAFAY COURT SW."
- 83/2003** 23. NAMING A 14' UNNAMED ALLEY BETWEEN GOBEL & WALLACE SE "RAMOS COURT SE."

ORDINANCES & FORMAL RESOLUTIONS - POSTPONED MATTER:**AMENDED**

- 84/2003** 24. AMENDING CITY CODE CHAPTER 787 RE: SEXUALLY- ORIENTED BUSINESSES; EMERGENCY (Sec. 787.13 VOTED ON SEPARATELY)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

Thursday, May 8, 2003 @ 6:00 p.m., Council Caucus Room

1. Public Safety & Thoroughfares
2. Transfer Review Committee

Monday, May 12, 2003 @ 6:15 p.m., Council Caucus Room

1. Finance Committee
2. Intergovernmental & Public Service Committee
3. Public Property Capital Improvement Committee

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): (2 PUBLIC SPEAKERS)

MISCELLANEOUS BUSINESS

ADJOURNMENT TIME: 8:57 p.m.

THE NEXT REGULAR CITY COUNCIL MEETING WILL BE HELD MONDAY, MAY 12, 2003 @ 7:30 PM
(THERE WILL BE NO MEETING MONDAY, MAY 5TH, THE EVE OF THE PRIMARY ELECTION)