

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

JUNE 30, 2003

ROLL CALL: All 12 Councilmembers Present

INVOCATION: Given by 8th Ward Councilmember Rosemary Diamond

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

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 24B to Add Resolutions #56 & 57; Suspended Rule 22A to add 1<sup>st</sup> Rdg O#13A & 2<sup>nd</sup> Rdg O#19-26; Adopted 1<sup>st</sup> Rdg O#5, 6, 7, 9 & 13A & 2<sup>nd</sup> Rdg O#19, 20, 22, 24, 25 & 26)

PUBLIC HEARINGS:

7:30 PM CANTON'S PROPOSED TAX BUDGET FOR FISCAL YEAR ENDING 12/31/04.

(No Public Speakers)

(See O#21, 2<sup>nd</sup> Rdg)

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

INFORMAL RESOLUTIONS:

VICE PRESIDENT SMUCKLER:

EXCUSING MEMBERS.

(No motion necessary-all Members present)

54. INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE:

OBJECTING TO THE TRANSFER OF C2,2X,D6 LIQUOR PERMIT FOR CANTON PETROLEUM, INC dba GASCO EXPRESS MART, 3325 HARMONT NE - ADOPTED

55. INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE:

OBJECTING TO THE ISSUANCE OF A NEW C1,2 LIQUOR PERMIT FOR AMEERS, INC dba IN 'N OUT, 805 MCKINLEY SW - ADOPTED

**RULE 24B SUSPENDED TO ADD #56 & 57:**

56. PERSONNEL COMMITTEE:

CONFIRMING THE MAYOR'S APPOINTMENT OF GLENN STRONG TO FILL A VACANT TERM AS SECRETARY/TREASURER OF THE HARTFORD-HOUTZ POOR FUND BOARD. - ADOPTED (See C#259)

57. ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE:

RECOMMENDING THAT THE ANNUAL COST OF LIVING ADJUSTMENT FOR SOLID WASTE MANAGEMENT BE WAIVED PURSUANT TO CODIFIED ORDINANCE SEC. 975.08(a). - ADOPTED (See C#270 & O#132/2003)

COMMUNICATIONS:

254. AUDITOR PEREZ:

REQUEST FOR ADDITIONAL AMENDED CERTIFICATE DATED 6/17/03. - CLERK OF COUNCIL

255. BUREAU OF MOTOR VEHICLES:

ACKNOWLEDGING RECEIPT OF ORDINANCE 95/2003 RE: IMPOSING \$5.00 MUNICIPAL VEHICLE LICENSE FEE BEGINNING WITH 2004 REGISTRATION YEAR. - RECEIVED & FILED

256. CANTON FIRE DEPARTMENT:

2002 ANNUAL FIRE DEPARTMENT REPORT. - RECEIVED & FILED

257. HEALTH DEPARTMENT:

REQUEST FOR ORDINANCE TO INCREASE APPROPRIATIONS IN GRANT FUNDS FOR CANTON CITY HEALTH DEPARTMENT. - LAW DIRECTOR (See O#2, 1<sup>st</sup> Rdg)

258. MAYOR WATKINS:

ADVISING OF PAUL BAIR'S APPOINTMENT ON CANTON CITY PLANNING COMMISSION FOR THE TERM 6/1/03-5/31/09. - RECEIVED & FILED

259. MAYOR WATKINS:

REQUEST COUNCIL AUTHORIZATION OF GLENN STRONG'S APPOINTMENT AS SECRETARY/TREASURER OF THE HARTFORD-HOUTZ POOR FUND BOARD. - PERSONNEL COMMITTEE (See Resolution #56)

260. MUNICIPAL COURT, PRESIDING JUDGE BELDEN:

REQUEST THE MAYOR ENTER INTO AGREEMENT WITH STATE OF OHIO TO RECEIVE A \$48,496 GRANT FOR THE MISDEMEANANT COMMUNITY SANCTIONS PROGRAM. - LAW DIRECTOR (See O#3, 1<sup>st</sup> Rdg)

COMMUNICATIONS - CONTINUED:

261. OHIO DEPT. OF TRANSPORTATION:

NOTICE OF EXECUTED COPY OF CO-OPERATIVE CONTRACT BETWEEN CITY & ODOT RE: IR-77 IMPROVEMENT. - RECEIVED & FILED, CC: SERVICE DIRECTOR

262. PLANNING COMMISSION: RECOMMENDING APPROVAL OF I-1 LIGHT INDUSTRIAL, I-2 HEAVY INDUSTRIAL, B-3 GENERAL BUSINESS, & R-1C, SINGLE FAMILY RESIDENTIAL ZONING FOR I-77/FAIRCREST ANNEXATION AREA. - LAW DIRECTOR **PUB HRG 8/11/03 @ 7:30 PM**
263. PLANNING COMMISSION: RECOMMENDING APPROVAL OF VACATION OF BROOKS, LINWOOD, BELLFLOWER, ROSLYN, MARYLAND, 22<sup>ND</sup> & 23<sup>RD</sup> SW, AND REPLAT ALL OR PARTS OF VARIOUS LOTS & OUTLOTS REQUESTED BY MARATHON ASHLAND. - LAW DIRECTOR (See O#4, 1<sup>st</sup> Rdg)  
**PUB HRG 7/28/03 @ 7:30 PM**
264. PLANNING COMMISSION: RECOMMENDING APPROVAL OF FINAL PLAT OF GATEWAY HOMES AS REQUESTED BY COOPER & ASSOCIATES FOR ABCD-CHERRY HOMES LLC. - LAW DIRECTOR (**See O#128/2003**)
265. PLANNING COMMISSION: RECOMMENDING APPROVAL OF FINAL PLAT OF CHERRY HOMES AS REQUESTED BY COOPER & ASSOCIATES FOR ABCD-CHERRY HOMES LLC. - LAW DIRECTOR (**See O#129/2003**)
266. SAFETY DIRECTOR CONCATTO: REQUEST FOR APPROVAL OF DEMOLITION OF 2 PARCELS (1227 DOUGHERTY NW & 2024 21<sup>ST</sup> ST NE). - LAW DIRECTOR (**See O#130/2003**)
267. SAFETY DIRECTOR CONCATTO: REQUEST TO ACCEPT A \$6,320 GRANT FROM THE OHIO DEPT OF PUBLIC SAFETY TO PURCHASE SOFTWARE &/OR HARDWARE FOR CANTON FIRE DEPT EMS INCIDENT REPORTING SYSTEM; & REQUEST \$6,320 SUPPLEMENTAL FROM THE 2812 EMS TRAINING & EQUIPMENT FUND. - LAW DIRECTOR (See O#8, 1<sup>st</sup> Rdg)
268. SERVICE DIRECTOR MILLER: REQUEST TO EXECUTE & DELIVER AN EASEMENT ON A PORTION OF COURT AVENUE SW TO CONSTRUCT, MAINTAIN, REPAIR, REPLACE, USE & OPERATE A PERMANENT UNDERGROUND UTILITY LINE FOR THE NATIONAL FIRST LADIES' LIBRARY. - LAW DIRECTOR (**See O#131/2003**)
269. SERVICE DIRECTOR MILLER: REQUEST TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR CONSTRUCTION OF NEW BRICK SIDEWALK AT WESTBROOK VETERANS MEMORIAL PARK. - LAW DIRECTOR (See O#10, 1<sup>st</sup> Rdg)
270. SERVICE DIRECTOR MILLER: REQUEST TO WAIVE ANNUAL COST OF LIVING ADJUSTMENT FOR SOLID WASTE MANAGEMENT PURSUANT TO CODIFIED ORDINANCE 975.02, SECTION 4. - ENVIRONMENTAL & PUBLIC UTILITIES (See Reso #57 & O#132/2003)
271. TREASURER SCHIRACK: COMPARATIVE REPORT OF INCOME TAX CASH RECEIPTS AS OF 5/31/03. - RECEIVED & FILED
272. WILLIAMS, KELLY: LETTER OF COMPLAINT RE: LACK OF SANITATION SERVICES. - SERVICE DIRECTOR

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1<sup>ST</sup> RDG 1. AUTHORIZING CITY AUDITOR TO PAY \$3,498.51 MORAL OBLIGATION FOR THE WORKSHOPS, INC FOR CLEANING SERVICES; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 2. AMENDING O.236/2002 FOR SUPPLEMENTAL APPROPRIATIONS TO INCREASE GRANT FUNDS FOR THE CANTON CITY HEALTH DEPARTMENT, (\$9,359.17 FROM 2314 CHILD & FAMILY HEALTH SERVICES FUND & ETC); EMERGENCY  
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING - CONTINUED:

- 1<sup>ST</sup> RDG 3. AUTHORIZING MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO TO RECEIVE A \$48,896 GRANT FOR THE MISDEMEANANT COMMUNITY SANCTIONS PROGRAM FOR THE PERIOD JULY 1, 2003 THROUGH JUNE 30, 2004; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 4. VACATING PORTIONS OF MARYLAND, ROSLYN, BELLFLOWER, LINWOOD, BROOKS, 22<sup>ND</sup> & 23<sup>RD</sup> SW; APPROVING & ACCEPTING REPLATTING OF ALL OR PARTS OF LOT #30409, 30412-30422, 31481-31502, 31568, 31681-31724, 31815-31896, 32008-32086, 32195-32234, 34366-34375, 34379-34380 & OUTLOTS 653 & 654; EMERGENCY. **PUB HRG 7/28/03 @ 7:30 PM**

Referred to Public Safety & Thoroughfares Committee

- 128/2003** 5. APPROVING & ACCEPTING FINAL RECORD PLAT OF GATEWAY HOMES IN CITY OF CANTON AS REQUESTED BY COOPER & ASSOCIATES FOR ABCD-CHERRY HOMES LLC; EMERGENCY  
Referred to Public Safety & Thoroughfares Committee
- 129/2003** 6. APPROVING & ACCEPTING FINAL RECORD PLAT OF CHERRY HOMES IN CITY OF CANTON AS REQUESTED BY COOPER & ASSOCIATES FOR ABCD-CHERRY HOMES LLC; EMERGENCY  
Referred to Public Safety & Thoroughfares Committee
- 130/2003** 7. DECLARING 2 BUILDINGS PUBLIC NUISANCES; AUTHORIZING SAFETY DIRECTOR TO ENTER INTO CONTRACT FOR DEMOLITION OF SAME; AUTHORIZING CLERK OF COUNCIL TO CERTIFY COSTS OF DEMOLITION TO STARK COUNTY AUDITOR; EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- 1<sup>ST</sup> RDG** 8. AUTHORIZING SAFETY DIRECTOR TO ACCEPT A \$6,320 GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES, FOR FIRE DEPARTMENT; AMENDING O.236/2002 FOR \$6,320 SUPPLEMENTAL APPROPRIATION FROM 2812EMS TRAINING & EQUIPMENT FUND; EMERGENCY  
Referred to Finance committee
- 131/2003** 9. AUTHORIZING SERVICE DIRECTOR TO EXECUTE & DELIVER AN EASEMENT TO THE NATIONAL FIRST LADIES' LIBRARY TO CONSTRUCT, MAINTAIN, REPAIR, REPLACE, USE & OPERATE A PERMANENT UNDERGROUND DATA/COMMUNICATION CONDUIT; EMERGENCY  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG** 10. AUTHORIZING SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & CONTRACT FOR THE CONSTRUCTION OF A NEW BRICK SIDEWALK AT WESTBROOK VETERANS MEMORIAL PARK; EMERGENCY  
Referred to Parks & Recreation and Finance Committees
- 1<sup>ST</sup> RDG** 11. AMENDING O.28/2003 & AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO FILE AN APPLICATION TO THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO ASSESSMENT-ASSISTANCE FUND, APPLY FOR FINANCIAL ASSISTANCE & ADMINISTER THE FUNDS; AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO CONTRACT FOR PROFESSIONAL ENVIRONMENTAL SERVICES WITH THE REQUIREMENTS OF CLEAN OHIO ASSESSMENT-ASSISTANCE FUND APPLICATION; EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- 1<sup>ST</sup> RDG** 12. AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO AGREEMENT FOR PURCHASE, SALE & EXCHANGE OF REAL ESTATE BETWEEN CITY OF CANTON & CANTON CITY SCHOOL DISTRICT BOARD OF EDUCATION & MICHAEL A. GRAVILA; EMERGENCY  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG** 13. APPROVING A 19-MONTH COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF CANTON & CPPA LOCAL 98; EMERGENCY  
Referred to Personnel Committee
- 132/2003** 13A. WAIVING THE ANNUAL ADJUSTMENT TO THE BASE SANITATION RATE ESTABLISHED BY THE CONSUMER PRICE INDEX PURSUANT TO SECTION 975.08 OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; EMERGENCY  
Referred to Environmental & Public Utilities Committee

**7:57-8:09 PM Recess for committee meetings on O#5,6,7, 9,&13A, which were returned to the agenda for adoption.**

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

- 2<sup>ND</sup> RDG** 14. AMENDING ZONING O.55/77 TO REZONE LOT NO. 37259 LOCATED ON KIRBY AVE NE FROM R-1a TO PB-3 AS REQUESTED BY LAVERNE E. DALE, JR.; EMERGENCY **PUB HRG 7/14/03 @ 7:30 PM**
- 2<sup>ND</sup> RDG** 15. AMENDING ZONING O.55/77 TO REZONE LOT NOS. 16240, 16241, 39877, 39878 & 39880 LOCATED ON SMITH AVE NW FROM R-1a TO PB-3 AS REQUESTED BY LAMBOS INVESTMENT PARTNERS; EMERGENCY **PUB HRG 7/14/03 @ 7:31 PM**
- 2<sup>ND</sup> RDG** 16. AMENDING ZONING O.55/77 TO REZONE LOT NO. 41570, PARTS OF LOT NOS. 10215 & 42190 AND PART OF OUTLOT NO. 1020 LOCATED ON THE NORTH SIDE OF 6<sup>TH</sup> ST SW FROM B-1, B-2 AND R-1a TO PCS AS REQUESTED BY AULTMAN HOSPITAL; EMERGENCY **PUB HRG 7/14/03 @ 7:32 PM**
- 2<sup>ND</sup> RDG** 17. AMENDING ZONING O.55/77 TO REZONE LOTS NOS. 4501, 4502 & PARTS OF LOT NOS. 4507 & 4508 LOCATED ON THE SOUTH SIDE OF FULTON RD NW FROM R-1a TO PB-4 AS REQUESTED BY MICHAEL A. GRAVILLA/CANTON CITY SCHOOLS; EMERGENCY **PUB HRG 7/14/03 @ 7:33 PM**

- 2<sup>ND</sup> RDG 18. AMENDING ZONING O.55/77 TO REZONE OUTLOT 842 & PART OF OUTLOT 800 LOCATED AT 3200 ATLANTIC BLVD NE FROM B-3 TO PB-4 AS REQUESTED BY CANTON ASSOCIATES FOR A WAL-MART SUPERCENTER; EMERGENCY **PUB HRG 7/14/03 @ 7:34 PM**

**RULE 22A SUSPENDED TO ADD #19-26:**

- 133/2003** 19. APPROVING A WATER MAIN EXTENSION TO SERVICE CANTON SOUTH HIGH SCHOOL & AMOS McDANNEL ELEMENTARY SCHOOL IN CANTON TOWNSHIP; AUTHORIZING SERVICE DIRECTOR TO CONTRACT FOR SAME; EMERGENCY
- 134/2003** 20. AUTHORIZING SETTLEMENT OF BLACKTOP PAVERS SHEET METAL COATINGS v. CITY OF CANTON, et al., CASE #02CV2240, FOR \$50,000.00; EMERGENCY
- 2<sup>ND</sup> RDG 21. ADOPTING CITY OF CANTON'S PROPOSED TAX BUDGET FOR FISCAL YR ENDING 12/31/04; EMERGENCY **PUB HRG 6/30/03 @ 7:30 PM**
- 135/2003** 22. AUTHORIZING SAFETY DIRECTOR TO ACCEPT \$1,960.42 GRANT FROM OHIO DEPT OF PUBLIC SAFETY TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT FOR FIRE DEPT; AMENDING O.236/2002 FOR \$1,960.42 SUPPLEMENTAL APPROPRIATION FROM EMS TRAINING & EQUIPMENT FUND; EMERGENCY.
- 2<sup>ND</sup> RDG 23. AMENDING CITY CODE CHAPTER 1313, ELECTRICAL; CHAPTER 1315, PLUMBING; CHAPTER 1317, HEATING, VENTILATING & AIR CONDITIONING; CHAPTER 1333, RESIDENTIAL BUILDING CODE; & CHAPTER 1351, PURPOSE & SCOPE
- 136/2003** 24. AUTHORIZING THE SAFETY DIRECTOR TO MAKE APPLICATION FOR & ACCEPT A \$36,607 GRANT FROM THE OFFICE OF THE GOVERNOR'S HIGHWAY SAFETY REP FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM; EMERGENCY
- 137/2003** 25. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$23,500 CONTRACT WITH FINKBEINER, PETTIS & STROUT TO CONDUCT SANITARY SEWER STUDY TO PROVIDE SEWER SERVICES TO THE I-77/FAIRCREST ANNEXATION AREA; AMENDING O.236/2002 FOR \$23,500 TRANSFER FROM SEWER-DAILY OPERATIONS FUND; EMERGENCY.
- 138/2003** 26. AUTHORIZING PAYMENT OF MINIMUM SCOG ALLOCATION OF 5%FOR BALANCE OF 2003; EMERGENCY.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING: (NONE)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

Thursday, July 10, 2003 @ NOON, Caucus Room

1. Personnel Committee

Monday, July 14, 2003 @ 6:15 PM, Caucus Room

1. Public Safety & Thoroughfares Committee
2. Parks & Recreation Committee
3. Finance Committee
4. Public Property Capital Improvement Committee
5. Community & Economic Development Committee

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): (4 Speakers)

MISCELLANEOUS BUSINESS: (None)

ADJOURNMENT TIME: 8:42 PM

THE NEXT REGULAR CITY COUNCIL MEETING WILL BE HELD MONDAY, JULY 14, 2003 @ 7:30 PM  
(COUNCIL IS ON ITS SUMMER SCHEDULE & WILL MEET JULY 28<sup>TH</sup>, AUGUST 11<sup>TH</sup> & 25<sup>TH</sup>, 2003)