

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

JULY 28, 2003

ROLL CALL: 10 present, 2 absent (Altieri-Bucher & Mallonn)

INVOCATION: Given by Councilmember-At-Large Bill Smuckler

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

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 24B to add Resolutions #60, 62 & 64; Suspended Rule 22A to add Communication #304 and 2<sup>nd</sup> Rdg Ordinances #11-19; Amended Ordinance #17; Adopted 2<sup>nd</sup> Rdg Ordinances #11 & 13-19)

PUBLIC HEARINGS:

7:30 PM A REQUEST BY MARATHON/ASHLAND TO VACATE PARTS OF MARYLAND, ROSLYN, BELLFLOWER, LINWOOD, BROOKS, 22<sup>ND</sup> & 23<sup>RD</sup> SW; & THE REPLAT OF ALL OR PARTS OF VARIOUS LOTS. (PLANNING COMMISSION RECOMMENDS APPROVAL) (No Public Speakers) (See O#162/2003)

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

INFORMAL RESOLUTIONS: (**RULE 24B SUSPENDED TO ADD RESOLUTIONS #60, 62 & 64**)

VICE PRESIDENT SMUCKLER:

EXCUSING MEMBERS ALTIERI-BUCHER AND MALLONN.

59. HAWK, WARD 1 MEMBER: NAMING A 10' UNNAMED ALLEY RUNNING EAST & WEST EXTENDING 218' FROM THE WEST LINE OF BROWN AVE TO THE EAST LINE OF COLLINS CT NW, LYING BETWEEN 4<sup>TH</sup> & 5<sup>TH</sup> STREETS, AS "ZERBY PLACE NW" - ADOPTED & LAW DIRECTOR
60. INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE: OBJECTING TO THE ISSUANCE OF A NEW D5 LIQUOR PERMIT REQUESTED BY ROBERT K MCGILL dba RIVIERA CLUB OF CANTON @ 508 CLEVELAND AVENUE NW - ADOPTED
61. MASSEY, WARD 4 MEMBER: COMMENDING SARTA EXECUTIVE DIRECTOR CHARLES ODIMGBE. - ADOPTED
62. PERSONNEL COMMITTEE: APPOINTING JAMES DIMARZIO TO NEWLY CREATED POSITION OF ASSISTANT SUPERINTENDENT COLLECTIONS SYSTEMS @ STEP 3/GRADE 4 SALARY OF \$54,995 EFFECTIVE JULY 28, 2003. - ADOPTED
63. SMUCKLER, MAJORITY LEADER: URGING THE RE-INTRODUCTION AND PASSAGE BY THE STATE LEGISLATURE OF THE OHIO PRESCRIPTION DRUG FAIR PRICING ACT. - ADOPTED
64. SMUCKLER, MAJORITY LEADER: URGING COUNTY COMMISSIONERS & THE GOVERNOR TO DECLARE DISASTER AREA STATUS SO CANTONIANS CAN QUALIFY FOR EMERGENCY ASSISTANCE. - ADOPTED

COMMUNICATIONS:

293. AUDITOR PEREZ: REQUEST FOR ADDITIONAL AMENDED CERTIFICATE DATED 7/22/03. - CLERK OF COUNCIL
294. AUDITOR PEREZ: REQUEST FOR ADDITIONAL AMENDED CERTIFICATE DATED 7/22/03. - CLERK OF COUNCIL
295. AUDITOR PEREZ: REQUEST FOR ADDITIONAL AMENDED CERTIFICATE DATED 7/25/03. - CLERK OF COUNCIL
296. HEALTH BENEFITS ADMINISTRATOR BRESSON: JUNE 2003 MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS, & JANUARY-JUNE 2003 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED
297. MAYOR WATKINS: ADVISING OF CITY'S JUNE 28<sup>TH</sup> AUCTION NET PROFIT OF \$50,599.60 PAID INTO THE GENERAL FUND & LOCAL LAW ENFORCEMENT FUND - RECEIVED & FILED
298. MAYOR WATKINS: REQUESTING VARIOUS SUPPLEMENTAL APPROPRIATIONS & TRANSFERS FOR MAINTENANCE CONTRACTS ON RADIOS FOR VARIOUS DEPARTMENTS, UTILITY COSTS IN POLICE & TELECOMMUNICATIONS, EXTRA REVENUE IN YOUTH DEVELOPMENT, & LARGER THAN USUAL REFUNDS BY SAFETY DIRECTOR. - LAW DIRECTOR (See O#10, 1<sup>st</sup> Rdg)

COMMUNICATIONS - CONTINUED:

299. PAONE, BOB, CONESTOGA ROOM: INVITING PRESIDENT & MEMBERS OF COUNCIL TO THE FIRST ANNUAL 'DOWNTOWN CANTON PROUD' PARTY ON JULY 29 & 30, 2003. - RECEIVED & FILED
300. SAFETY DIRECTOR CONCATTO: REQUEST TO MAKE APPLICATION & ENTER INTO AGREEMENT TO ACCEPT & ADMINISTER LOCAL LAW ENFORCEMENT BLOCK GRANT; REQUEST TO

EXECUTE LETTER OF UNDERSTANDING WITH STARK COUNTY. - LAW DIRECTOR (See O#3, 1<sup>st</sup> Rdg)

301. SERVICE DIRECTOR MILLER: REQUEST TO ENTER INTO A \$603,900 CONTRACT WITH R. G. SMITH COMPANY, INC. FOR WPCC DIGESTER PROJECT; REQUEST AN ADDITIONAL \$85,000 BE APPROPRIATED DUE TO COST INCREASE & CONTINGENCIES FROM 5410 SANITARY SEWER FUND. - LAW DIRECTOR (See O#4, 1<sup>st</sup> Rdg)

302. SERVICE DIRECTOR MILLER: REQUEST PAYMENT FOR VARIOUS EASEMENTS RELATED TO THE LAKE-HARTVILLE WATER MAIN EXTENSION PROJECT; & REQUEST \$17,315 SUPPLEMENTAL APPROPRIATION FROM THE 5219 FUND. - LAW DIRECTOR (See O#5, 1<sup>st</sup> Rdg)

303. TREASURER SCHIRACK: COMPARATIVE REPORT OF CASH RECEIPTS AS OF JUNE 30, 2003 - RECEIVED & FILED

**RULE 22A SUSPENDED TO ADD C#304:**

304. CARBENIA, WARD 9 MEMBER: SUBMITTING FAX FROM THE COORDINATOR OF EMERGENCY PREPAREDNESS AGENCY RE: DAMAGE ESTIMATE REQUIREMENTS TO REQUEST STATE & FEDERAL ASSISTANCE. - RECEIVED & FILED

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

1<sup>ST</sup> RDG 1. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A 3-YR. AGREEMENT WITH GONZOIL FOR THE LEASE OF CITY PROPERTY IN PERRY TWP TO MARKET OIL & GAS; EMERGENCY  
Referred to Public Property Capital Improvement Committee

1<sup>ST</sup> RDG 2. AMENDING ORDINANCE O.55/77 TO REZONE PART OF OUTLOT 411 LOCATED AT 128 WERTZ AVENUE NW FROM R-1A TO PB-3 AS REQUESTED BY FETTMAN PROPERTY MGMT LTD; EMERGENCY.  
Referred to Second Reading Portion of Next Agenda. **PUB HRG 8/25/03 @ 7:30 PM**

1<sup>ST</sup> RDG 3. AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR A LOCAL LAW ENFORCEMENT BLOCK GRANT TO THE US DEPT OF JUSTICE; AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT TO ACCEPT & ADMINISTER THE GRANT; AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF UNDERSTANDING WITH STARK COUNTY CONCERNING REALLOCATION OF GRANT PROCEEDS; EMERGENCY  
Referred to Finance Committee

1<sup>ST</sup> RDG 4. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A \$603,900 CONTRACT WITH THE R. G. SMITH COMPANY, INC. FOR WPCC DIGESTER PROJECT; AMENDING O.236/2002 FOR AN \$85,000 SUPPLEMENTAL APPROPRIATION FROM THE 5410 SANITARY SEWER FUND; EMERGENCY  
Referred to Environmental & Public Utilities and Finance Committees

1<sup>ST</sup> RDG 5. AUTHORIZING THE SERVICE DIRECTOR TO PAY FOR EASEMENTS ASSOCIATED WITH THE LAKE-HARTVILLE WATER MAIN EXTENSION PROJECT; AMENDING O.236/2002 FOR A \$17,315 SUPPLEMENTAL APPROPRIATION FROM THE 5219 OWDA FUND; EMERGENCY  
Referred to Environmental & Public Utilities and Finance Committees

1<sup>ST</sup> RDG 6. AUTHORIZING THE CITY AUDITOR TO PAY A \$10,000 MORAL OBLIGATION TO THE CANTON SYMPHONY ORCHESTRA FOR PAYMENT OF RESCHEDULING EXPENSES FOR THE CONCERT IN THE PARK; EMERGENCY  
Referred to Community & Economic Development and Finance Committees

1<sup>ST</sup> RDG 7. AUTHORIZING THE MAYOR TO SUBMIT THE 2004 RECYCLE OHIO GRANT APPLICATION TO THE OHIO DEPT OF NATURAL RESOURCES; AUTHORIZING THE MAYOR TO ACCEPT & EXECUTE THE GRANT; AUTHORIZING A VARIABLE CASH MATCH FROM COMMUNITY DEVELOPMENT FUNDS; AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE GREATER CANTON CHAMBER OF COMMERCE; EMERGENCY  
Referred to Community & Economic Development and Finance Committees

1<sup>ST</sup> RDG 8. AMENDING EXHIBIT A OF BARGAINING UNIT PERSONNEL O.40/2000 BY REDUCING # OF CAPTAINS IN POLICE DEPT FROM 5 TO 4; EMERGENCY  
Referred to Personnel Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING - CONTINUED:**

1<sup>ST</sup> RDG 9. AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE & DELIVER TO STARK COUNTY COMMISSIONERS AN EASEMENT ON PROPERTY OWNED BY THE CITY OF CANTON ALONG THE SOUTH LINE OF 30<sup>TH</sup> NE NEAR WILLIG FIELD TO CONSTRUCT, MAINTAIN OR REPAIR A SANITARY SEWER LINE; EMERGENCY  
Referred to Environmental & Public Utilities Committee

1<sup>ST</sup> RDG 10. AMENDING O.236/2002 BY MAKING A \$54,586.02 SUPPLEMENTAL APPROPRIATION FROM THE 4502 MOTOR VEHICLE FUND, \$6,000 FROM THE 2656 YOUTH DEVELOPMENT DONATION FUND, \$2,274.42 FROM THE 5410 SANITARY SEWER FUND & \$7,676.16 from the 5601 REFUSE FUND, AND AN \$18,170 TRANSFER FROM FIRE ADMINISTRATION FOR MAINTENANCE CONTRACTS ON RADIOS FOR VARIOUS

DEPARTMENTS, UTILITY COSTS IN POLICE & TELECOMMUNICATIONS, EXTRA REVENUE IN YOUTH DEVELOPMENT, & LARGER THAN USUAL REFUNDS BY SAFETY DIRECTOR; EMERGENCY  
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

**RULE 22A SUSPENDED TO ADD ORDINANCES #11-19:**

**154/2003** 11. RESOLUTION APPROVING STATEMENT OF SERVICES TO BE PROVIDED TO PROPERTY OWNERS IN JEFFRIES BROTHERS ANNEXATION AREA, APPROXIMATE DATE SERVICES WILL BE PROVIDED & PROCEDURE FOR INCOMPATIBLE ZONING USES; EMERGENCY

2<sup>ND</sup> RDG. 12. AUTHORIZING CANTON TO ANNEX I-77/FAIRCREST ANNEXATION AREA, ASSIGNING SAID TERRITORY TO WARDS 4 & 5, & ZONING SAID TERRITORY AS I-1, I-2, B-3 & R-1C; EMERGENCY

**PUB HRG 8/11/03 @ 7:30 PM**

**155/2003** 13. AMENDING SECTION 1(A) TO ORDINANCE 97/2003 TO AUTHORIZE PURCHASE OF A TOTAL OF 7 POLICE CRUISERS; EMERGENCY

**156/2003** 14. APPROVING A WATER MAIN EXTENSION TO THREE LOTS ON THE SOUTH SIDE OF MILL AVE SE IN CANTON TWP; AUTHORIZING SERVICE DIRECTOR TO CONTRACT FOR SAME; EMERGENCY

**157/2003** 15. APPROVING A WATER MAIN EXTENSION TO CANTERBURY CREEK DEVELOPMENT IN PLAIN TWP; AUTHORIZING SERVICE DIRECTOR TO CONTRACT FOR SAME; EMERGENCY

**158/2003** 16. AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & CONTRACT FOR THE PURCHASE OF VARIOUS MOTOR VEHICLES FOR THE SANITATION DEPARTMENT OR ALTERNATIVELY TO PURCHASE SAME PURSUANT TO ORC 125.04 OR 5513.01; EMERGENCY

**AMENDED**

**159/2003** 17. AMENDING EXHIBIT A TO O.40/200, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY DIVISION OF PUBLIC WORKS & WATER POLLUTION CONTROL CENTER; AMENDING O.236/2002 FOR A \$1,000,000 SUPPLEMENTAL APPROPRIATION FROM THE 5410 SEWER OPERATING FUND; EMERGENCY

**160/2003** 18. AUTHORIZING MAYOR TO ENTER INTO CEDA WITH CANTON & PLAIN TOWNSHIPS IN THE JEFFRIES BROTHERS ANNEXATION AREA; EMERGENCY

**161/2003** 19. AUTHORIZING SAFETY DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR CONSTRUCTION OF OUTDOOR TRAINING RANGE FOR POLICE DEPARTMENT; EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

**162/2003** 20. VACATING PORTIONS OF MARYLAND, ROSLYN, BELLFLOWER, LINWOOD, BROOKS, 22<sup>ND</sup> & 23<sup>RD</sup> SW; APPROVING & ACCEPTING THE 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 & OL 653-654 AS REQUESTED BY MARATHON-ASHLAND; EMERGENCY.

**PUB HRG HELD 7/28/03 @ 7:30 PM**

ANNOUNCEMENT OF COMMITTEE MEETINGS:

Monday, August 11, 2003 @ 6:15 PM, Caucus Room

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

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): (Council heard 14 speakers)

MISCELLANEOUS BUSINESS: (Discussion re: flooding issues)

ADJOURNMENT TIME: 9:36 PM

THE NEXT REGULAR CITY COUNCIL MEETING WILL BE HELD MONDAY, AUGUST 11<sup>TH</sup> @ 7:30 PM  
(COUNCIL IS ON ITS SUMMER SCHEDULE & WILL MEET ON AUGUST 25<sup>TH</sup>, 2003  
AND, AFTER THE LABOR DAY HOLIDAY, WILL RETURN TO ITS EVERY MONDAY EVENING MEETING SCHEDULE)