

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

AUGUST 11, 2003

ROLL CALL: 11 Councilmembers present, 1 absent (Smuckler—**present at 7:50 p.m.**)

INVOCATION: Given by Councilmember-At-Large Don Casar

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

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add Communications #318-320, 1st Rdg Ordinance #7A, & 2nd Rdg Ordinances #8-17; Adopted all 2nd Rdg Ordinances except #9)

PUBLIC HEARINGS:

7:30 PM A REQUEST TO ANNEX APPROXIMATELY 885 ACRES IN CANTON TOWNSHIP KNOWN AS THE I-77/FAIRCREST ANNEXATION AREA, ASSIGN SAID TERRITORY TO WARDS 4&5, & ZONE SAID TERRITORY AS I-1,I-2,B-3 & R-1C. (PLANNING COMMISSION RECOMMENDS APPROVAL) (No Public Speakers) (See O.172/2003)

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

INFORMAL RESOLUTIONS:

FIRST VICE PRESIDENT CASAR: EXCUSING MEMBER SMUCKLER. **Mbr. Smuckler present @ 7:50pm**

65. ALTIERI-BUCHER, WARD 2 MEMBER: COMMENDING THE DOWNTOWN CANTON PROUD GROUP. - ADOPTED

66. ALTIERI-BUCHER, WARD 2 MEMBER: COMMENDING CANTON POLICE OFFICERS, FIREFIGHTERS & PARK POLICE OFFICER FOR HEROICS DURING FLOODING. - ADOPTED

67. HAWK, WARD 1 MEMBER: URGING CONGRESS TO PASS A VERSION OF THE MEDICARE PRESCRIPTION DRUG & IMPROVEMENT ACT WHICH INCLUDES BOTH A THERAPY CAP MORATORIUM AND A DIRECT ACCESS DEMONSTRATION PROJECT. - ADOPTED

COMMUNICATIONS:

305. AUDITOR PEREZ: MONTHLY REPORT BY FUND FOR 7/1/03 - 7/31/03. - RECEIVED & FILED

306. AUDITOR PEREZ: YEARLY REPORT BY FUND FOR 1/1/03 - 7/31/03. - RECEIVED & FILED

307. OHIO EPA: PUBLIC NOTICE OF RECEIPT OF APPLICATION FOR A CLEAN WATER ACT SEC 401 CERTIFICATION FOR PROPOSED PROJECT @ THE I-77 & SHUFFEL DR. OVERPASS WHICH IS ESTIMATED TO IMPACT LOCAL WETLANDS & STREAMS. - RECEIVED & FILED

308. PLANNING COMMISSION: RECOMMENDING APPROVAL OF A REQUEST BY KATE PAYNE TO VACATE PART OF WHIPKEY COURT NW BETWEEN 16th ST & ELLIOTT PL NW TO ALLOW FOR PRIVATE ACCESS. - LAW DIRECTOR (See O#2, 1st Rdg)
PUBLIC HEARING 8/25/03 @ 7:31 PM

309. SAFETY DIRECTOR CONCATTO: REQUEST TO ENTER INTO AGREEMENT WITH STARK COUNTY COMMISSIONERS WHEREBY THE STARK COUNTY SHERIFF WILL NO LONGER CHARGE THE CITY FOR THE HOUSING OF ARRESTEES, PRETRIAL DETAINEES & PRISONERS IN THE JAIL IN EXCHANGE FOR THE USE OF THE SMART ZONE CONTROLLER RADIO SYSTEM. - LAW DIR. (See O#3, 1st Rdg)

310. SAFETY DIRECTOR CONCATTO: REQUEST TO ESTABLISH & AUTHORIZE A \$2,542 SUPPLEMENTAL APPROPRIATION FROM THE 2777 CANTON POLICE YOUTH CORP FUND & ESTABLISH & AUTHORIZE A \$5,000 SUPPLEMENTAL APPROPRIATION FROM THE 2778 CANTON AUXILIARY POLICE FUND. - LAW DIRECTOR (See O#4, 1st Rdg)

311. SERVICE DIRECTOR MILLER: REQUEST TO ENTER INTO A \$23,600 CONTRACT WITH CTI ENVIRONMENTAL, INC. TO PREPARE A DRAINAGE STUDY FOR THE PLAIN CENTER ESTATES AREA; REQUEST TO ESTABLISH & AUTHORIZE A \$23,600 TRANSFER TO THE 5410 202062 SEWER-PLAIN CENTER ESTATES ACCOUNT. - LAW DIRECTOR (See O#7A, 1st Rdg)

COMMUNICATIONS CONTINUED:

312. SERVICE DIRECTOR MILLER: REQUEST TO APPROVE A WATER MAIN EXTENSION TO THE HOME OF DAVID DEMPSTER LOCATED @ 1030 LAKE CENTER STREET IN LAKE TOWNSHIP. - LAW DIRECTOR (See O#5, 1st Rdg)

313. SERVICE DIRECTOR MILLER: REQUEST TO NEGOTIATE AUCTION OF PARCEL #02-46631, KNOWN AS THE

CHARLES EDE COMMUNITY SERVICE CENTER, AT FAIR MARKET VALUE OF \$10,825. - LAW DIRECTOR

314. TREASURER SCHIRACK: COMPARATIVE REPORT OF PARKING METER REVENUE AS OF JULY 31, 2003. - RECEIVED & FILED
315. TREASURER SCHIRACK: COMPARATIVE REPORT OF DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCOUNT AS OF JULY 31, 2003. - RECEIVED & FILED
316. TREASURER SCHIRACK: COMPARATIVE REPORT OF INCOME TAX CASH RECEIPTS AS OF 7/31/03. - RECEIVED & FILED
317. TREASURER SCHIRACK: REPORT OF TREASURER'S OFFICE BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF JULY 31, 2003. - RECEIVED & FILED

RULE 22A SUSPENDED TO ADD #318, 319 & 320:

318. LIQUOR CONTROL DIVISION, STATE OF OHIO: NOTIFICATION THAT THE CAMELOT CAR WASH & DETAIL CENTER, INC. HAS APPLIED FOR A NEW C1,2 LIQUOR PERMIT AT 4806 CLEVELAND AVENUE NW. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
319. LIQUOR CONTROL DIVISION, STATE OF OHIO: NOTIFICATION THAT BYRON C. ROSENTHAL HAS APPLIED FOR A NEW D5 LIQUOR PERMIT AT HOG HEAVEN OPEN FLAME BBQ @ 2730 CLEVELAND AVENUE NW. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
320. MAGGIORE, CHRIS: REQUEST TO REZONE 2535 FULTON DRIVE NW FROM B-3 GENERAL BUSINESS TO PB-4 PLANNED SPECIAL BUSINESS FOR A 1-BAY CAR WASH W/POSSIBILITY OF SECOND CAR WASH IN FUTURE. - PLANNING CMSN

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. NAMING A 10' UNNAMED ALLEY BETWEEN 4th & 5th STREETS NW "ZERBY PLACE NW;" EMERGENCY.
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 2. VACATING PART OF WHIPKEY COURT NW FROM SOUTH LINE OF 16th STREET TO NORTH LINE OF ELLIOTT PLACE AS REQUESTED BY KATE PAYNE; EMERGENCY. **PUBLIC HEARING 8/25/03 @ 7:31 PM**
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 3. AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO AGREEMENT WITH STARK COUNTY COMMISSIONERS FOR PURPOSE OF SHARING RADIO EQUIPMENT WITH THE CITY IN THE CANTON COMMUNICATION CENTER; EMERGENCY.
Referred to Intergovernmental & Public Service & Finances Committees
- 1ST RDG 4. AUTHORIZING THE CITY AUDITOR TO ESTABLISH THE 2777 CANTON POLICE YOUTH CORP FUND & 2778 CANTON AUXILIARY POLICE FUND; AMENDING 0.236/2002 BY MAKING A \$2,542 SUPPLEMENTAL APPROPRIATION FROM THE 2777 CANTON POLICE YOUTH CORP FUND & \$5,000 FROM THE 2778 CANTON AUXILIARY POLICE FUND; EMERGENCY.
Referred to Finance Committee
- 1ST RDG 5. APPROVING WATER MAIN EXTENSION TO LAKE CENTER STREET IN LAKE TOWNSHIP; AUTHORIZING SERVICE DIRECTOR TO CONTRACT FOR SAME; EMERGENCY.
Referred to Environmental & Public Utilities Committee
- 1ST RDG 6. AUTHORIZING THE EDITING & INCLUSION OF CERTAIN ORDINANCES ADOPTED FROM JULY 1, 2002 TO JUNE 30, 2003 AS PART OF THE CODIFIED ORDINANCES OF CANTON; EMERGENCY.
Referred to Judiciary Committee
- 1ST RDG 7. A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE COPIES OF THE 2003 SUPPLEMENT TO THE CANTON CITY CODIFIED ORDINANCES FREE OF CHARGE TO PUBLIC OFFICIALS & PUBLIC INSTITUTIONS & SELL COPIES FOR \$14.40 TO COPYHOLDERS WHO PURCHASED THE CANTON CITY CODE; EMERGENCY.
Referred to Judiciary Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING - CONTINUED:

RULE 22A SUSPENDED TO ADD ORDINANCE #7A:

- 1ST RDG 7A. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A \$23,600 CONTRACT WITH CTI ENVIRONMENTAL INC TO PREPARE A DRAINAGE STUDY FOR THE PLAIN CENTER ESTATES AREA; AMENDING 0.236/2002 FOR A \$23,600 TRANSFER INTO THE 5410-20-20-10 SEWER-PLAIN CENTER ESTATES ACCOUNT; EMERGENCY.
Referred to Environmental & Public Utilities & Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

RULE 22A SUSPENDED TO ADD ORDINANCES #8-17:

- 163/2003** 8. 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
- 2ND RDG** 9. 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.
PUB HRG 8/25/03 @ 7:30 PM
- 164/2003** 10. 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
- 165/2003** 11. 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
- 166/2003** 12. 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
- 167/2003** 13. 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
- 168/2003** 14. 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
- 169/2003** 15. AMENDING EXHIBIT A OF BARGAINING UNIT PERSONNEL O.40/2000 BY REDUCING # OF CAPTAINS IN POLICE DEPT FROM 5 TO 4; EMERGENCY
- 170/2003** 16. 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 30TH NE NEAR WILLIG FIELD TO CONSTRUCT, MAINTAIN OR REPAIR A SANITARY SEWER LINE; EMERGENCY
- 171/2003** 17. 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

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- 172/2003** 18. 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:

Monday, August 25, 2003 @ 6:30 PM, Caucus Room

1. Finance Committee
2. Public Safety & Thoroughfares Committee
3. Environmental & Public Utilities Committee
4. Intergovernmental & Public Service Committee
5. Judiciary Committee

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): (Council heard 12 speakers)

MISCELLANEOUS BUSINESS: (Blacktop Program; Building Department; Subdivision sewer guidelines)

ADJOURNMENT TIME: 9:35 PM

THE NEXT REGULAR CITY COUNCIL MEETING WILL BE HELD MONDAY, AUGUST 25TH @ 7:30 PM
(AFTER THE LABOR DAY HOLIDAY, COUNCIL WILL RETURN TO ITS EVERY MONDAY EVENING MEETING SCHEDULE)