

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

DECEMBER 8, 2003

ROLL CALL: 11 Councilmembers present, 1 Absent **(Smuckler present at 7:38 PM)**

INVOCATION: Given by Councilmember-At-Large Don Casar

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

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 24B to add Informal Resolution #90; Suspended Rule 22A to add O#9A; Adopted O#3 (1st Rdg); Amended O#17)

PUBLIC HEARINGS: (None)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): (6 Speakers)

INFORMAL RESOLUTIONS:

VICE PRESIDENT SMUCKLER: EXCUSING MEMBERS

SUSPENDED RULE 24B TO ADD:

90. INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE: OBJECTING TO THE ISSUANCE OF A NEW C1, C2 LIQUOR PERMIT REQUESTED BY JENNINGS ENTERPRISES, INC. dba RJ'S, LOCATED AT 2417 4TH STREET NW. - ADOPTED

COMMUNICATIONS:

486. AUDITOR PEREZ: REQUEST FOR ADDITIONAL AMENDED CERTIFICATE DATED 12/2/03. - CLERK OF COUNCIL
487. AUDITOR PEREZ: MONTHLY REPORT BY FUND FOR 11/1/03 - 11/26/03. - RECEIVED & FILED
488. AUDITOR PEREZ: YEARLY REPORT BY FUND FOR 01/1/03 - 11/26/03. - RECEIVED & FILED
489. CLERK OF COUNCIL: REQUEST FOR LEGISLATION OBJECTING TO THE 2004 RENEWAL OF IN-N-OUT, 805 MCKINLEY AVENUE SW; GASCO EXPRESS MART, 3325 HARMONT AVE., NE; & SHORB DRIVE THRU 829 12TH STREET NW - LAW DIRECTOR (1st Rdg)
490. LAW DIRECTOR MARTUCCIO: SUBMITTING ORDINANCE REVISION FOR AN EXISTING SECTION OF CHAPTER 943, SEWER USE CODE. - LAW DIRECTOR (See O#1, 1st Rdg)
491. LIQUOR CONTROL DIVISION, STATE OF OHIO: REQUEST FOR NEW C1, C2 LIQUOR PERMIT BY MEZES MARKET INC. dba MEZES MARKET LOCATED AT 1639 MAPLE AVENUE NE- INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
492. LIQUOR CONTROL DIVISION, STATE OF OHIO: REQUEST FOR NEW C1, C2 LIQUOR PERMIT BY MAGG MSCC LTD dba MAGGIORES CONV FOODS LOCATED AT 1939 MAHONING RD NE. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
493. LIQUOR CONTROL DIVISION, STATE OF OHIO: REQUEST FOR NEW D3 LIQUOR PERMIT BY HOUSDEN INC. dba MIKES AGAIN LOCATED AT 1037-39 BEDFORD AVENUE SW - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
494. MAYOR WATKINS: REQUESTING CITY OF CANTON TRANSFER THE CHARLES EDE COMMUNITY SERVICE CENTER TO THE STARK METROPOLITAN HOUSING AUTHORITY ACCORDING TO MEMORANDUM OF UNDERSTANDING. - LAW
495. MAYOR WATKINS: SUBMITTING INTERFUND TRANSFERS, SUPPLEMENTAL APPROPRIATIONS, TRANSFERS & REDUCTIONS IN APPROPRIATIONS NEEDED TO FINISH THE FISCAL YEAR. - LAW DIRECTOR (See O#2, 1st Rdg)
496. OHIO DEPT OF COMMERCE, DIVISION OF LIQUOR CONTROL: OVERRULING OBJECTION OF COUNCIL TO C-1-2 LIQUOR PERMIT APPLICATION BY AHN, INC. dba STORE LOCATED @ 1105 WEST TUSCARAWAS NW. & CONTINUE PROCESSING OF APPLICATION.- INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
497. SAFETY DIRECTOR CONCATTO: REQUEST FOR APPROVAL OF DEMOLITION OF 9 PARCELS. - LAW DIRECTOR (See O#3, 1st Rdg)

COMMUNICATIONS - CONTINUED:

498. SERVICE DIRECTOR MILLER: REQUEST TO PAY \$750.00 MORAL OBLIGATION TO WASTE REMOVAL EQUIPMENT, INC. DUE TO LACK OF TRADE-IN OF USED REFUSE PACKER - LAW DIRECTOR (See O#4, 1st Rdg)

499. SERVICE DIRECTOR MILLER: REQUEST TO RENAME SHORB AVENUE NW FROM TUSCARAWAS STREET WEST TO 3RD STREET NW TO FULTON ROAD NW. - LAW DIRECTOR
(See O#5, 1st Rdg)
500. SERVICE DIRECTOR MILLER: REQUEST TO APPROVE A WATER MAIN EXTENSION ON WEST PARK AVENUE NW IN THE VILLAGE OF MEYERS LAKE. - LAW DIRECTOR
501. SERVICE DIRECTOR MILLER: REQUEST TO ENTER INTO FIVE YEAR CONTRACT WITH THE WORKSHOPS, INC. TO OPERATE, MANAGE AND SUPERVISE THE SNACK BAR ON THE FIRST FLOOR OF CITY HALL; REQUEST CITY AUDITOR TO ESTABLISH APPROPRIATE ACCOUNT. - LAW DIRECTOR
(See O#6, 1st Rdg)
502. TOMASSETTI, TERESA: REQUEST TO REZONE LOT 36966 LOCATED AT 703 30TH STREET NW FROM R-1A TO PB-2 TO CONVERT THE 1ST FLOOR TO A RETAIL CONSIGNMENT STORE (PINK LADY CONSIGNMENT BOUTIQUE) & LIVING QUARTERS ON 2ND FLOOR APARTMENT. - PLANNING COMMISSION
503. TREASURER SCHIRACK: COMPARATIVE REPORT OF INCOME TAX CASH RECEIPTS AS OF 11/30/03. RECEIVED & FILED
504. TREASURER SCHIRACK: COMPARATIVE REPORT OF DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCOUNT AS OF NOVEMBER 2003. - RECEIVED & FILED
505. TREASURER SCHIRACK: COMPARATIVE REPORT OF PARKING METER REVENUE AS OF NOVEMBER 2003. - RECEIVED & FILED
506. TREASURER SCHIRACK: REPORT OF BANK RECONCILIATIONS & OUTSTANDING INVESTMENTS AS OF NOVEMBER 28, 2003. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMENDING THE CODIFIED ORDINANCES, PART 9, CHAPTER 943, RE: SEWER REGULATIONS; EMERGENCY
Referred to Judiciary Committee
- 1ST RDG 2. AMENDING O.236/2002 BY MAKING THE NECESSARY SUPPLEMENTAL APPROPRIATIONS, TRANSFERS, REDUCTIONS IN APPROPRIATIONS AND INTERFUND TRANSFERS TO CONCLUDE THE YEAR; EMERGENCY
Referred to Finance Committee
- 258/2003** 3. DECLARING 9 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 Committee
- 1ST RDG 4. AUTHORIZING CITY AUDITOR TO PAY A \$750.00 MORAL OBLIGATION TO WASTE REMOVAL EQUIPMENT INC. FOR THE TRADE-IN VALUE FOR A USED REFUSE PACKER INADVERTENTLY SOLD AT AUCTION; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. RENAMING A PORTION OF SHORB AVENUE NW FROM WEST TUSCARAWAS TO 3RD NW, "FULTON ROAD NW"; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 6. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH THE WORKSHOPS INC. FOR SNACK BAR SERVICES AT CITY HALL BUILDING; EMERGENCY
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING - CONTINUED:

- 1ST RDG 7. RESOLUTION OBJECTING TO 3 LIQUOR PERMIT RENEWALS WITHIN CITY LIMITS (IN-N-OUT @ 805 MCKINLEY AVENUE SW; GASCO EXPRESS MART @ 3325 HARMONT AVE NE; & SHORB DRIVE THRU @ 829 12TH STREET NW); EMERGENCY
Referred to Intergovernmental & Public Service Committee
- 1ST RDG 8. RESOLUTION APPROVING SERVICES TO THE PROPERTY OWNER IN THE FORD/REPUBLIC GEORGETOWN ROAD ANNEXATION AREA, DATE SERVICES WILL BE PROVIDED & ZONING USES UPON ANNEXATION TO THE CITY OF CANTON; EMERGENCY

Referred to Annexation Committee

- 1ST RDG 9. AMENDING THE CODIFIED ORDINANCES, CHAPTER 181, RE: RECENTLY MANDATED GUIDELINES FOR LOCAL INCOME TAX; EMERGENCY
Referred to Judiciary Committee

- 1ST RDG 9A. AUTHORIZING MAYOR AND/OR SERVICE DIRECTOR TO ENTER INTO MEMORANDUM AGREEMENT WITH UNITED STATES OF AMERICA AND GENERAL SERVICE ADMINISTRATION (GSA) TO ACQUIRE FEE SIMPLE TITLE AND SITE FOR BUILDING CONSTRUCTIONS LEASED BY GSA FOR THE CANTON FEDERAL CENTER; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

- 2ND RDG 10. AMENDING O.55/77 TO REZONE LOTS NOS. 25949-25991 LOCATED AT 3865 MAHONING RD NE FROM R-1A TO PR-4 AS REQUESTED BY MARTIN & DARLENE MORRIS; EMERGENCY
PUB HRG. 12/15/03 @ 7:30 PM

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- 259/2003** 11. AMENDING O.236/2002 BY MAKING \$7,000.00 SUPPLEMENTAL APPROPRIATION FROM 2321 IMMUNIZATION ACTION PLAN FUND, AND \$15,000.00 SUPPLEMENTAL APPROPRIATION FROM 2312 STD CONTROL FUND; EMERGENCY
- 260/2003** 12. AUTHORIZING CITY AUDITOR TO PAY \$23,740.00 MORAL OBLIGATION TO UNITED INDUSTRIAL GROUP FOR REPAIRS TO 450 HORSEPOWER SYNCHRONOUS MOTOR FOR #3 HIGH SERVICE PUMP AT SUGAR CREEK WATER TREATMENT PLANT; EMERGENCY
- 261/2003** 13. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO AGREEMENT WITH LIFE INVESTORS INSURANCE COMPANY OF AMERICA TO COMMENCE AND ADMINISTER A FLEXIBLE BENEFIT PLAN FOR ELIGIBLE CITY EMPLOYEES UNDER SECTION 125 OF THE INTERNAL REVENUE CODE; EMERGENCY
- 262/2003** 14. AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO DESIGNATE CANTON COMMERCE DEVELOPMENT, LLC ("CCD") AS ITS AGENT TO SUBMIT A 1.3 MILLION DOLLAR LOAN APPLICATION TO STATE OF OHIO URBAN REDEVELOPMENT LOAN PROGRAM FOR THE PURCHASE & DEVELOPMENT OF MILLS BUSINESS PARK; AUTHORIZING \$200,000.00 ALLOCATION FOR 2004 & 2005 FOR PURCHASE AND IMPROVEMENT OF SAME; AUTHORIZING MAYOR AND/OR PUBLIC SERVICE DIRECTOR TO ACCEPT AND ADMINISTER SAID LOAN; EMERGENCY
- 263/2003** 15. AUTHORIZING PUBLIC SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT WITH BOARD OF STARK COUNTY COMMISSIONERS FOR LEASE OF PARKING SPACES AT CORNERSTONE PARKING DECK; EMERGENCY
- 264/2003** 16. VACATING PART OF WHEELING PL NE BETWEEN MAHONING RD & FRANCIS CT NE AS REQUESTED BY PROSPER ALTIERI & KATHLEEN ALTIERI BUCHER; EMERGENCY
PUB HRG HELD 12/1/03 @ 7:30 PM

ORDINANCES & FORMAL RESOLUTIONS - POSTPONED MATTER:

(AS AMENDED)

- 265/2003** 17. (POSTPONED FROM 12/1/03) AMENDING O.164/2001 TO EXCLUDE CERTAIN POLICE & FIRE DEPT EMPLOYEES AND FIDUCIARY STAFF OF AUDITOR'S OFFICE FROM WAGE SCHEDULE FOR MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES; INCLUDE ANNUAL EVALUATIONS FOR CERTAIN MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES BUT EXCLUDING FIDUCIARY EMPLOYEES IN THE AUDITOR'S OFFICE; & AMENDING EXHIBIT A, CLASSIFICATION PLAN; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS

Monday, December 15, 2003 @ 6:15 PM, Council Caucus Room

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

Monday, December 15, 2003 @ 6:30 PM, Council Caucus Room

6. Public Property Capital Improvement Committee

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): (No Speakers)

MISCELLANEOUS BUSINESS:

Power Point Presentation to be given by City Auditor Kim Perez and
Ward 1 Councilmember Greg Hawk on
Wednesday, December 10, 2003 at 5:00pm in Council Chambers.

ADJOURNMENT TIME: 8:41 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD MONDAY, JANUARY 5, 2004 @ 7:30 PM