

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

JANUARY 26, 2004

ROLL CALL: All 12 Councilmembers present

INVOCATION: Given by Councilmember-at-Large Mary Babcock

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

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 24B to add Resolutions #13-16; Adopted 1st Rdg O#2 & 5)

PUBLIC HEARINGS: (None)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): (No Public Speakers)

INFORMAL RESOLUTIONS:

VICE PRESIDENT DON CASAR: EXCUSING MEMBERS (Not necessary, all members present)

SUSPENDED RULE 24B TO ADD RESOLUTION #13-16

13. COUNCIL-AS-A-WHOLE COMMITTEE: APPOINTING WARD 2 COUNCILMEMBER THOMAS E. WEST TO DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT'S BOARD OF TRUSTEES FOR 2004. - ADOPTED
14. INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE: OBJECTING TO ISSUANCE OF C1, C2 LIQUOR PERMIT REQUESTED BY BELLA 7 LLC dba MAGGIORE'S DRIVE THRU #15 LOCATED AT 1037 DUEBER AVE SW. - ADOPTED
15. INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE: OBJECTING TO ISSUANCE OF C1, C2 LIQUOR PERMIT REQUESTED BY WAYNE EDWARD MARION dba DUEBER DRIVE THRU LOCATED AT 1037 DUEBER AVE SW. - ADOPTED
16. PERSONNEL COMMITTEE: WAIVING SECTION 151.14(a) OF THE CANTON CODIFIED ORDINANCES TO PERMIT MAYOR'S ASSISTANT JENNIFER DRLIK TO TRANSFER ~~263.74~~ 80.0 HOURS OF ACCUMULATED SICK LEAVE PREVIOUSLY EARNED AS AN EMPLOYEE OF STARK COUNTY TO THE CITY OF CANTON. - ADOPTED AS AMENDED
17. PRATER, WARD 5 MEMBER: COMMENDING ALL FIREFIGHTERS INVOLVED IN 12/23/03 FIRE @ 1381 ROSLYN AVE SW. - ADOPTED

COMMUNICATIONS:

51. CD & PLANNING DEPARTMENT: REQUESTING LEGISLATION RATIFYING AND RE-AUTHORIZING 15 ORDINANCES (152/2002, ETC.). - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES
52. CD & PLANNING DEPARTMENT: REQUESTING LEGISLATION AUTHORIZING MAYOR AND/OR HER DESIGNEE TO FILE AN APPLICATION, APPLY FOR FINANCIAL ASSISTANCE & ADMINISTER FUNDS IN ACCORDANCE WITH PROGRAM GUIDELINES & ASSURANCES WITH STATE OF OHIO FOR PARTICIPATION IN CLEAN OHIO ASSISTANCE FUND, INCLUDING ENTERING INTO \$50,000 CONTRACT FOR PROFESSIONAL ENVIRONMENTAL SERVICES REQUIRED BY APPLICATION. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
53. CITY PROSECUTOR FORCHIONE: SUMMARIES OF HOUSE BILL #12, CARRYING CONCEALED WEAPON, & SENATE BILL #50, NEW DOMESTIC VIOLENCE LAWS. - RECEIVED & FILED
54. HEALTH BENEFITS ADM. BRESSON: DECEMBER MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JANUARY-DECEMBER 2003 PAID CLAIMS & COMPARATIVE REPORT.- RECEIVED & FILED
55. LAW DIRECTOR MARTUCCIO: PROVIDING STATUS OF VACATION OF PORTIONS OF 14TH ST SW & LAWN AVE SW AS REQUESTED BY DUMONT SEED CO., INCLUDING COUNCILMEMBER PRATER'S REQUEST FOR AN ORDINANCE APPROVING ORIGINALLY PROPOSED VACATION. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

COMMUNICATIONS CONTINUED:

56. LIQUOR CONTROL DIVISION OF OHIO: CONTINUING HEARING SCHEDULED FOR 1/12/04 TO A DATE TO BE ANNOUNCED ON OBJECTION TO C1, C2 LIQUOR PERMIT REQUESTED BY R&S CONVENIENT MART, dba B&B SUPERMARKET LOCATED @ 636 CHERRY AVE NE. - INTERGOVERNMENTAL & PUBLIC SERVICE

COMMITTEE

57. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY KS ASSOC FOR WAL-MART TO REPLAT OUTLOTS 800 & 842 AT HARMONT & ATLANTIC BLVD NE INTO NEW OUTLOT AND NEW LOT.- PUBLIC SAFETY & THOROUGHFARES COMMITTEE
58. PLANNING COMMISSION: RECOMMENDING APPROVAL OF FINAL RECORD PLAT OF VIENNA WOODS II REQUESTED BY HETTLER-LARGENT ENGINEERING FOR SUNAMERICA AFFORDABLE HOUSING PARTNERS. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
59. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY COOPER & ASSOC FOR GROFFRE INVESTMENTS TO REPLAT PARTS OF OUTLOTS 41 & 315 ON ALLEN AVE SE INTO A NEW OUTLOT. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
60. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY ACCURATE TECHNOLOGIES FOR THE TIMKEN CO. TO REPLAT LOTS 5720, 5721, 5722 & 5723 ON GARFIELD AVE SW INTO TWO NEW LOTS. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
61. SAFETY DIRECTOR CONCATTO: REQUEST FOR APPROVAL OF DEMOLITION OF 19 PARCELS (1136 5TH ST NW, ETC). - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES
62. SAFETY DIRECTOR CONCATTO: NOTIFICATION THAT CITY & CPFFA HAVE REACHED ONE-YEAR TENTATIVE AGREEMENT, PROVISIONS & SEVERAL NON-ECONOMIC TENTATIVE AGREEMENTS WILL BE FORWARDED WITH PROPOSED ORDINANCE APPROVING CONTRACT, COUNCIL WILL HAVE 30 DAYS TO APPROVE OR REJECT & IF REJECTED, WILL GO TO FACT-FINDING; REQUESTING TO MEET WITH COUNCIL IN EXECUTIVE SESSION ON 1/26/04. - PERSONNEL COMMITTEE
63. SERVICE DIRECTOR ELLSWORTH: DECLARING THE FORMER EXECUTIVE GARAGE AS THE ONLY AUTHORIZED SMOKING AREA IN CITY HALL. - RECEIVED & FILED
64. SERVICE DIRECTOR ELLSWORTH: REQUEST TO AUTHORIZE & DIRECT PUBLIC SERVICE DIRECTOR TO ENTER INTO SANITARY SEWER EASEMENT WITH CAROL S. WARSTLER, TRUSTEE OF THE CAROL S. WARSTLER REVOCABLE TRUST, AS PART OF THE I-77 (STA-77-9.46) WIDENING PROJECT. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
65. SERVICE DIRECTOR ELLSWORTH: REQUESTING CERTIFICATION OF LIST OF 53 PROPERTY OWNERS TO STARK COUNTY AUDITOR FOR LIENS ON REAL ESTATE TAXES FOR GRASS MOWING PERFORMED BY THE STREET DEPT. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
66. STARK COUNTY COMMISSIONERS: RESOLUTION GRANTING ANNEXATION OF 176.280 ACRES IN CANTON TOWNSHIP KNOWN AS FORD/REPUBLIC GEORGETOWN BROTHERS ANNEXATION AREA. - ANNEXATION COMMITTEE & PLANNING CMSN
67. UNITED FOUNDRIES, INC.: REQUEST TO VACATE A PORTION OF 13TH ST NE, GRACE AVE NE, & CRYSTAL PLACE NE FOR COMMERCIAL USE BY THE PROPERTY OWNERS. - PLANNING CMSN

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZING PUBLIC SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR REMOVAL OF ASBESTOS & DEMOLITION OF THE KRESGE BLOCK BUILDINGS, AND AUTHORIZING CITY AUDITOR TO ESTABLISH 2814 CLEAN OHIO REVITALIZATION FUND; EMERGENCY
Referred to Community Economic Development & Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 2/2004 2. AUTHORIZING PUBLIC SERVICE DIRECTOR TO ENTER INTO PROFESSIONAL SERVICES CONTRACTS FOR HEALTH CARE BENEFITS ADMINISTRATION & STOP-LOSS INSURANCE FOR CITY EMPLOYEES AND THEIR DEPENDENTS; EMERGENCY
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZING CITY PARTICIPATION IN STATE CONTRACTS WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR PURCHASE OF MACHINERY, MATERIALS, SUPPLIES OR OTHER ARTICLES; EMERGENCY

Referred to Public Property Capital Improvement & Finance Committees

- 1ST RDG 4. AUTHORIZING CITY PARTICIPATION IN STATE COOPERATIVE PURCHASING PROGRAM FOR PURCHASE OF SUPPLIES, SERVICE, EQUIPMENT & CERTAIN MATERIALS; EMERGENCY
Referred to Public Property Capital Improvement & Finance Committees
- 3/2004** 5. AUTHORIZING PUBLIC SERVICE DIRECTOR TO ENTER INTO \$168,710.00 CONTRACT RENEWAL WITH THE OHIO MUNICIPAL LEAGUE JOINT SELF-INSURANCE POOL FOR GENERAL LIABILITY & COMPREHENSIVE AUTOMOBILE LIABILITY INSURANCE COVERAGES; EMERGENCY
Referred to Finance Committee
- 1ST RDG 6. AMENDING EXHIBIT A TO O.164/2001, THE CLASSIFICATION PLAN & GENERAL SALARIES FOR ALL MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES BY DELETING DIRECTOR OF MANAGEMENT & BUDGET AND ADDING CHIEF OF STAFF WITH ONE EMPLOYEE ALLOWED; EMERGENCY
Referred to Personnel Committee
- 1ST RDG 7. WAIVING THE RESIDENCY REQUIREMENT OF OHIO REVISED CODE SECTION 737.01 DURING THE APPOINTMENT OF BERNARD HUNT AS PUBLIC SAFETY DIRECTOR
Referred to Personnel Committee
- 1ST RDG 8. APPROVING WATER MAIN EXTENSION TO 1639 WEST PARK AVE IN THE VILLAGE OF MEYERS LAKE & AUTHORIZING PUBLIC SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR SAME; EMERGENCY
Referred to Environmental & Public Utilities Committee
- 1ST RDG 9. AUTHORIZING MAYOR AND/OR PUBLIC SERVICE & PUBLIC SAFETY DIRECTORS TO COMPLETE VARIOUS CONTRACTS WITH VENDORS PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY JANUARY 1, 2004; EMERGENCY
Referred to Finance Committee
- 1ST RDG 10. AUTHORIZING PUBLIC SERVICE DIRECTOR AND/OR PUBLIC SAFETY DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR VARIOUS SUPPLY ITEMS, MATERIALS & PROFESSIONAL SERVICES FOR OPERATIONS DURING 2004 CALENDAR YEAR & AUTHORIZING ALTERNATIVELY THE PURCHASE OF SAID ITEMS PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT AND/OR ODOT PURCHASING AGREEMENT; EMERGENCY
Referred to Finance Committee
- 1ST RDG 11. AMENDING SECTION 181.05, RETURN AND PAYMENT OF TAX; REFUND, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; EMERGENCY
Referred to Judiciary Committee

***7:48-8:04 PM Recess for committee meeting on O#2 & 5, which were returned to the agenda for adoption.**

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

- 2ND RDG 12. AMENDING ZONING O.55/77 TO REZONE LOT #36966, LOCATED AT 703 30TH STREET NW FROM R-1a TO PB-2 AS REQUESTED BY TERESA E. TOMASSETTI; EMERGENCY. **PUB HRG 2/2/04 @ 7:30 PM**

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

(NONE)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

Monday, February 2, 2004 @ 6:00 PM, Caucus Room

1. Environmental & Public Utilities Committee
2. Finance Committee
3. Public Property Capital Improvement Committee
4. Judiciary Committee

Monday, February 2, 2004 @ 6:15 PM, Caucus Room

5. Personnel Committee
6. Community & Economic Development

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

MISCELLANEOUS BUSINESS: Discussion re: ice skating rink

ADJOURNMENT TIME: 8:18 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD MONDAY, FEBRUARY 2, 2004 @ 7:30 PM