

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

FEBRUARY 2, 2004

ROLL CALL: 11 Councilmembers present, 1 Absent (Mallon)  
INVOCATION: Given by Councilmember-at-Large Thomas Bernabei  
PLEDGE OF ALLEGIANCE: Led by President of Council President Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#10-18; Adopted 1<sup>st</sup> Rdg O#7; Ordinance #19 Withdrawn)

PUBLIC HEARINGS:

7:30 PM A REQUEST TO REZONE LOT 36966 LOCATED AT 703 30<sup>th</sup> STREET NW FROM R-1a TO PB-2 AS REQUESTED BY TERESA E. TOMASSETTI (Planning Commission recommended denial) (See C#85)  
(No Public Speakers) See O#19 - WITHDRAWN

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

INFORMAL RESOLUTIONS:

VICE PRESIDENT DON CASAR: EXCUSING MEMBER MALLONN.

COMMUNICATIONS:

- 68. HAWK, GREG, WARD 1 MEMBER: REQUEST FOR APPROVAL TO CREATE A COMMUNITY REINVESTMENT AREA WITHIN CITY OF CANTON WARD 1 MAKING QUALIFIED PROPERTIES ELIGIBLE FOR TAX EXEMPTIONS PURSUANT TO ORC 3735.65. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
- 69. LAW DIRECTOR MARTUCCIO: SUBMITTING LETTER OF LAW DEPARTMENT BUDGET PROPOSALS. - PERSONNEL COMMITTEE
- 70. LAW DIRECTOR MARTUCCIO: REQUEST APPROVAL FOR CANTON MUNICIPAL COURT TO PERFORM PROSECUTORIAL DUTIES FOR CITIES OF LOUISVILLE AND NORTH CANTON AND VILLAGES OF EAST CANTON, EAST SPARTA, HARTVILLE, MAGNOLIA AND WAYNESBURG. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
- 71. MAYOR JANET WEIR CREIGHTON: ADVISING OF APPOINTMENT OF MS. DELORES ANGELI TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION (CIC) COMMENCING ON 1/1/04 TO 12/31/04. - RECEIVED & FILED
- 72. MAYOR JANET WEIR CREIGHTON: ADVISING OF APPOINTMENT OF DONALD CASAR AND JOSEPH CARBENIA TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION FOR THE 2004 TERM. - RECEIVED & FILED
- 73. MAYOR JANET WEIR CREIGHTON: REQUESTING CONFIRMATION OF APPOINTMENT OF JOE FRIEDMAN TO THE BOARD OF BUILDING APPEALS COMMENCING ON 1/1/04 TO 12/31/05. - PERSONNEL COMMITTEE
- 74. MAYOR JANET WEIR CREIGHTON: REQUESTING CONFIRMATION OF APPOINTMENT OF REV. WARREN CHAVERS TO THE TAX INCENTIVE REVIEW BOARD COMMENCING ON 1/1/04 TO 12/31/05. - PERSONNEL COMMITTEE
- 75. MAYOR JANET WEIR CREIGHTON: REQUESTING CONFIRMATION OF APPOINTMENT OF BILL GLENN TO THE TAX INCENTIVE REVIEW BOARD COMMENCING ON 1/1/04 TO 12/31/05. - PERSONNEL COMMITTEE
- 76. MAYOR JANET WEIR CREIGHTON: REQUESTING CONFIRMATION OF APPOINTMENT OF GEORGE LAZARIDES TO THE BOARD OF BUILDING APPEALS COMMENCING ON 1/1/04 TO 12/31/05. - PERSONNEL COMMITTEE
- 77. MAYOR JANET WEIR CREIGHTON: REQUESTING CONFIRMATION OF APPOINTMENT OF EDWARD MAGNANI TO THE BOARD OF BUILDING APPEALS COMMENCING ON 1/1/04 TO 12/31/05. - PERSONNEL COMMITTEE

COMMUNICATIONS - CONTINUED:

- 78. MAYOR JANET WEIR CREIGHTON: REQUESTING CONFIRMATION OF APPOINTMENT OF JOHN PICARD TO THE BOARD OF BUILDING APPEALS COMMENCING ON 1/1/04 TO 12/31/06. - PERSONNEL COMMITTEE

79. MAYOR JANET WEIR CREIGHTON: REQUEST APPROVAL FOR MAYOR AND/OR SERVICE DIRECTOR TO EXECUTE & FILE APPLICATION TO OBTAIN A CLEAN OHIO TRAILS FUND PROGRAM GRANT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
80. SAFETY DIRECTOR HUNT: REQUEST TO ACCEPT & EXECUTE A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CANTON FIRE DEPARTMENT; REQUEST GRANT PROCEEDS BE DEPOSITED INTO THE 2813 FIREFIGHTERS ASSISTANCE GRANT FUND; REQUEST \$51,887 SUPPLEMENTAL APPROPRIATION FROM CAPITAL IMPROVEMENT FUND & \$121,071 FROM 2813 FIREFIGHTER ASSISTANCE GRANT FUND. - FINANCE COMMITTEE
81. SERVICE DIRECTOR ELLSWORTH: SUBMITTING 2003 ANNUAL REPORT FOR WPCC. - RECEIVED & FILED
82. SERVICE DIRECTOR ELLSWORTH: REQUEST TO TRANSFER \$241,600.75 FROM THE UNAPPROPRIATED BALANCE OF THE 5410 FUND TO 5410 SEWER-COLLECTIONS FUND FOR TRANSFER OF VEHICLES FROM PUBLIC WORKS TO WPCC. - FINANCE COMMITTEE
83. SERVICE DIRECTOR ELLSWORTH: REQUEST FOR SERVICE DIRECTOR TO ENTER INTO MODIFICATION #1 FOR GUILFORD AVENUE NW BRIDGE REPLACEMENT PROJECT, GP 1075; REQUEST \$4,654.00 TRANSFER TO 4501 GUILFORD AVE NW BRIDGE REPLACEMENT PROJ., GP 1075. - PUBLIC SAFETY & THOROUGHFARES AND FINANCE COMMITTEES
84. SERVICE DIRECTOR ELLSWORTH: REQUEST FOR SERVICE DIRECTOR TO ENTER INTO \$87,735.53 CHANGE ORDER #1 WITH NICKEL EXCAVATING INC. FOR CANTON TRAIN STATION SITE DEVELOPMENT PROJECT, GP 1079. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
85. TOMASSETTI, TERESA E.: WITHDRAWING REQUEST TO REZONE LOT #36966 LOCATED @ 703 30<sup>TH</sup> STREET NW FROM R-1A TO PB-2 TO CONVERT THE 1<sup>ST</sup> FLOOR TO A RETAIL CONSIGNMENT STORE (PINK LADY CONSIGNMENT BOUTIQUE) & LIVING QUARTERS ON 2<sup>ND</sup> FLOOR APARTMENT. - RECEIVED & FILED  
(See O#19 - WITHDRAWN)

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1<sup>ST</sup> RDG 1. AUTHORIZING MAYOR AND/OR SAFETY OR SERVICE DIRECTOR TO COMPLETE CONTRACTING PROCESS FOR PREVIOUSLY APPROVED CONTRACTS NOT COMPLETED BEFORE JANUARY 1, 2004; EMERGENCY Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZING SERVICE DIRECTOR TO FILE APPLICATION WITH THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO ASSISTANCE FUND, APPLY FOR FINANCIAL ASSISTANT & ADMINISTER THE FUNDS RECEIVED; AUTHORIZING MAYOR AND/OR SERVICE DIRECTOR TO ENTER INTO A \$50,000.00 PROFESSIONAL SERVICE CONTRACT ACCORDING TO REQUIREMENTS OF THE CLEAN OHIO ASSISTANCE FUND APPLICATION; EMERGENCY Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 3. APPROVING & ACCEPTING THE REPLATTING OF PARTS OF TWO OUTLOTS #800 & PART OF OUTLOT #842 AT HARMONT & ATLANTIC BLVD NE AS REQUESTED BY K S ASSOCIATES FOR WAL-MART; EMERGENCY Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 4. APPROVING & ACCEPTING THE FINAL PLAT OF VIENNA WOODS ALLOTMENT NO. 2 IN CITY OF CANTON; EMERGENCY Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 5. APPROVING & ACCEPTING THE REPLATTING OF PARTS OF TWO OUTLOTS #45 & 315 AS REQUESTED BY COOPER & ASSOCIATES BY GROFFRE INVESTMENTS; EMERGENCY Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING - CONTINUED:

- 1<sup>ST</sup> RDG 6. APPROVING & ACCEPTING THE REPLATTING OF LOTS #5720, 5721 & 5723 ON GARFIELD AVE SW AS REQUESTED BY ACCURATE TECHNOLOGIES FOR THE TIMKEN COMPANY; EMERGENCY Referred to Public Safety & Thoroughfares Committee
- 4/2004\* 7. DECLARING 19 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. APPROVING A 1-YR COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF CANTON AND CPFFA LOCAL 249; EMERGENCY.  
Referred to Personnel Committee and Finance Committees
- 1<sup>ST</sup> RDG 9. AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR REMOVAL OF NOXIOUS WEEDS & DEBRIS; EMERGENCY  
Referred to Intergovernmental & Public Service Committee

**\*7:43-8:09 PM- Recess for committee meeting on O#7, which was returned to the agenda for adoption.**

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

**RULE 22A SUSPENDED TO ADD:**

- 2<sup>ND</sup> RDG 10. 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
- 2<sup>ND</sup> RDG 11. 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
- 2<sup>ND</sup> RDG 12. AUTHORIZING CITY PARTICIPATION IN STATE COOPERATIVE PURCHASING PROGRAM FOR PURCHASE OF SUPPLIES, SERVICE, EQUIPMENT & CERTAIN MATERIALS; EMERGENCY
- 2<sup>ND</sup> RDG 13. 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
- 2<sup>ND</sup> RDG 14. WAIVING THE RESIDENCY REQUIREMENT OF OHIO REVISED CODE SECTION 737.01 DURING THE APPOINTMENT OF BERNARD HUNT AS PUBLIC SAFETY DIRECTOR
- 2<sup>ND</sup> RDG 15. 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
- 2<sup>ND</sup> RDG 16. 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
- 2<sup>ND</sup> RDG 17. 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
- 2<sup>ND</sup> RDG 18. AMENDING SECTION 181.05, RETURN AND PAYMENT OF TAX; REFUND, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- WITHDRAWN** 19. AMENDING ZONING O.55/77 TO REZONE LOT #36966, LOCATED AT 703 30<sup>TH</sup> STREET NW FROM R-1a TO PB-2 AS REQUESTED BY TERESA E. TOMASSETTI; EMERGENCY

**PUB HRG HELD 2/2/04 @ 7:30 PM**

ANNOUNCEMENT OF COMMITTEE MEETINGS:

Monday, February 9, 2004@ 6:00 PM, COUNCIL CAUCUS ROOM

1. Finance Committee
2. Public Safety & Thoroughfares Committee'

Monday, February 9, 2004@ 6:15 PM, COUNCIL CAUCUS ROOM

3. Personnel Committee
4. Community & Economic Development Committee
5. Intergovernmental & Public Service Committee

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

(3 Speakers)

MISCELLANEOUS BUSINESS: Member Hawk appointed as the Administration's Representative on the Summit United Neighborhood Housing Coalition.

ADJOURNMENT TIME: 8:26 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD MONDAY, FEBRUARY 9, 2004 @ 7:30 PM