

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

FEBRUARY 9, 2004

ROLL CALL: All 12 Councilmembers present

INVOCATION: Given by Ward 1 Councilmember Greg Hawk

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#9-16; Suspended Rule 24B to add Resolutions #21-27; Adopted 2<sup>nd</sup> Rdg O#15)

PUBLIC HEARINGS: (NONE)

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

INFORMAL RESOLUTIONS:

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

18. BABCOCK, MEMBER-AT-LARGE: COMMENDING PATROLMAN DONALD MILLER, JR. ON RECEIVING CRIME PREVENTION POLICE OFFICER OF THE YEAR AWARD. - ADOPTED

19. BABCOCK, MEMBER-AT-LARGE: COMMENDING CATHLEEN SENTER ON RECEIVING CRIME PREVENTION CITIZEN OF THE YEAR AWARD. - ADOPTED

20. COUNCIL-AS-A-WHOLE COMMITTEE: SUPPORTING ISSUE 15, CANTON CITY SCHOOL LEVY. - ADOPTED AS AMENDED

SUSPENDED RULE 24B TO ADD RESOLUTIONS 21-27:

21. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF SUSAN STEINER TO THE INVESTMENT BOARD FOR A 2 YEAR TERM RETROACTIVE TO 1/1/04 THROUGH 12/31/05. - ADOPTED

22. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF REV. WARREN CHAVERS TO THE TAX INCENTIVE REVIEW BOARD FOR A 2 YEAR TERM EFFECTIVE 1/1/04 THROUGH 12/31/05. - ADOPTED

23. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF JOE FRIEDMAN TO THE BOARD OF BUILDING APPEALS EFFECTIVE 1/1/04 THROUGH 12/31/05. - ADOPTED

24. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF BILL GLENN TO THE TAX INCENTIVE REVIEW BOARD FOR A 2 YEAR TERM EFFECTIVE 1/1/04 THROUGH 12/31/05. - ADOPTED

25. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF GEORGE LAZARIDES TO THE BOARD OF BUILDING APPEALS EFFECTIVE 1/1/04 THROUGH 12/31/05. - ADOPTED

26. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF EDWARD MAGNANI TO THE BOARD OF BUILDING APPEALS EFFECTIVE 1/1/04 THROUGH 12/31/05. - ADOPTED

27. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF JOHN PICARD TO THE BOARD OF BUILDING APPEALS FOR A 3 YEAR TERM EFFECTIVE 1/1/04 THROUGH 12/31/06. - ADOPTED

COMMUNICATIONS:

86. AUDITOR PEREZ: MONTHLY REPORT BY FUND FOR 1/1/04 - 1/30/04. - RECEIVED & FILED

87. AUDITOR PEREZ: YEARLY REPORT BY FUND FOR 1/1/04 - 1/30/04. - RECEIVED & FILED

88. BUILDING DEPARTMENT: YEARLY RECEIPTS ACTIVITY REPORT FOR 2003. - RECEIVED & FILED

89. CD & PLANNING DEPARTMENT: REQUEST FOR APPOINTMENT OF ONE MEMBER TO TAX INCENTIVE REVIEW COUNCIL (TIRC) AND TWO MEMBERS TO COMMUNITY REINVESTMENT AREA COUNCIL (CRAC). - PERSONNEL COMMITTEE

COMMUNICATIONS CONTINUED:

90. DIAMOND, WARD 8 MEMBER: CORRESPONDENCE TO MAYOR CREIGHTON REGARDING POSSIBLE CLOSING OF FIRE STATION #10 & CONSIDERATION OF OTHER ALTERNATIVES. - RECEIVED & FILED

91. HART, WARD 7 MEMBER: CORRESPONDENCE TO MAYOR CREIGHTON PROPOSING REPLACEMENT OF OLD STREET LIGHTS WITH NEW DECORATIVE STREET LIGHTS. - RECEIVED & FILED
92. LIQUOR CONTROL DIVISION (OHIO): REQUEST FOR NEW C1, C2 LIQUOR PERMIT BY WINDBER LLC dba DS QUICK STOP LOCATED @ 905 HARRISON AVE SW. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
93. MAYOR JANET WEIR-CREIGHTON: ADVISING OF APPOINTMENT OF SAM DORTO TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION (CIC) FOR THE 2004 TERM. - RECEIVED & FILED
94. MAYOR JANET WEIR-CREIGHTON: REQUESTING CONFIRMATION OF APPOINTMENT OF SUSAN STEINER TO INVESTMENT BOARD RETROACTIVE TO 1/1/04 THROUGH 12/31/05. - PERSONNEL COMMITTEE (See Resolution #21)
95. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY HARPER SURVEYING FOR THE LINDER FAMILY TO REPLAT OUTLOT 1035 ON THE NORTH SIDE OF 55<sup>TH</sup> ST NE EAST OF HARMONT. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
96. SERVICE DIRECTOR ELLSWORTH: REQUESTING AUTHORITY TO ADVERTISE & RECEIVE BIDS FOR THE SALE OF PARCEL #02-46631, PART OF OUTLOT 296 CONTAINING .50 ACRES LOCATED ON GONDER AVE SE & CONVEY SAID PROPERTY TO THE HIGHEST BIDDER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT CMTE
97. SERVICE DIRECTOR ELLSWORTH: REQUESTING APPROVAL OF WATER MAIN EXTENSION FOR A CONDOMINIUM DEVELOPMENT IN PERRY TOWNSHIP AS REQUESTED BY WILLIAM A. DAY OF KYUS PROPERTIES, LTD. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
98. TREASURER SCHIRACK: COMPARATIVE REPORT OF PARKING METER REVENUE AS OF JANUARY 30, 2004. - RECEIVED & FILED
99. TREASURER SCHIRACK: COMPARATIVE REPORT OF DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCOUNT AS OF JANUARY 30, 2004. - RECEIVED & FILED
100. TREASURER SCHIRACK: REPORT OF BANK RECONCILIATIONS & OUTSTANDING INVESTMENTS AS OF JANUARY 30, 2004. - RECEIVED & FILED
101. TREASURER ZEIGLER (STARK CTY): EXPLANATION OF H.B. 127 WHICH PERMITS MUNICIPAL CORPORATIONS & TOWNSHIPS TO ACQUIRE TAX-DELINQUENT REAL ESTATE BEFORE FORECLOSURE PROCEEDINGS WITHOUT ASSUMING THE ENTIRE TAX DEBT & ADVISING THAT IN ORDER TO ACQUIRE PROPERTY UNDER THE BILL'S TERMS, THE MUNICIPAL CORPORATION OR TOWNSHIP MUST ADOPT CERTAIN LEGISLATION. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1<sup>ST</sup> RDG 1. VACATING A PORTION OF 14<sup>TH</sup> ST SW & LAWN AVE SW REQUESTED BY STREAMO FOR DUMONT SEED COMPANY; EMERGENCY  
Referred to Public Safety & Thoroughfares Committee **PUB HRG 3/1/04 @ 7:30 PM**
- 1<sup>ST</sup> RDG 2. AMENDING EXHIBIT A TO O.164/2001, THE CLASSIFICATION PLAN & GENERAL SALARIES FOR ALL MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES BY AMENDING THE SALARY RANGE FOR CHIEF COUNSEL; EMERGENCY  
Referred to Personnel Committee
- 1<sup>ST</sup> RDG 3. AUTHORIZING THE LAW DIRECTOR TO ENTER INTO TWO-YEAR CONTRACTS WITH EAST CANTON, EAST SPARTA, HARTVILLE, LOUISVILLE, MAGNOLIA, NORTH CANTON & WAYNESBURG FROM 1/1/04 - 12/31/05 TO PROVIDE LEGAL REPRESENTATION IN CRIMINAL MATTERS; EMERGENCY  
Referred to Intergovernmental & Public Service Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1<sup>ST</sup> RDG 4. AUTHORIZING MAYOR AND/OR SERVICE DIRECTOR TO EXECUTE & FILE AN APPLICATION WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES TO OBTAIN A CLEAN OHIO TRAILS FUND PROGRAM GRANT, RATIFYING SAID APPLICATION & PROVIDING LOCAL PARTIAL FUNDING FOR SAME; EMERGENCY  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 5. AUTHORIZING PUBLIC SAFETY DIRECTOR TO ACCEPT & EXECUTE THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S ASSISTANCE TO FIREFIGHTERS GRANT; AUTHORIZING CITY AUDITOR TO DEPOSIT SAID GRANT PROCEEDS INTO THE 2813 FIREFIGHTERS ASSISTANCE GRANT FUND; AMENDING

O.1/2004 BY MAKING SUPPLEMENTAL APPROPRIATIONS FOR SAME; EMERGENCY  
Referred to Finance Committee

- 1<sup>ST</sup> RDG 6. AMENDING O.1/2004 BY MAKING \$241,600.75 SUPPLEMENTAL APPROPRIATION FROM 5410 SANITARY SEWER FUND TO 5410 20-60-06 SEWER COLLECTIONS FUND; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 7. AUTHORIZING PUBLIC SERVICE DIRECTOR TO ENTER INTO MODIFICATION #1 FOR \$4,654.00 WITH NORTHWEST CONSULTANTS FOR THE GUILFORD AVE NW BRIDGE REPLACEMENT PROJECT, GP 1075; AMENDING O.1/2004 BY MAKING SUPPLEMENTAL APPROPRIATION FOR SAME; EMERGENCY  
Referred to Public Safety & Thoroughfares and Finance Committees
- 1<sup>ST</sup> RDG 8. AUTHORIZING PUBLIC SERVICE DIRECTOR TO ENTER INTO A \$87,735.75 CHANGE ORDER WITH NICKEL EXCAVATING FOR EXTENSIVE EXCAVATION WORK FOR THE CANTON TRAIN STATION SITE DEVELOPMENT PROJECT; EMERGENCY  
Referred to Community & Economic Development and Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

**SUSPENDED RULE 22A TO ADD O#9-16:**

- 2<sup>ND</sup> RDG 9. AUTHORIZING MAYOR AND/OR SAFETY OR SERVICE DIRECTOR TO COMPLETE CONTRACTING PROCESS FOR PREVIOUSLY APPROVED CONTRACTS NOT COMPLETED BEFORE JANUARY 1, 2004; EMERGENCY
- 2<sup>ND</sup> RDG 10. 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
- 2<sup>ND</sup> RDG 11. 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
- 2<sup>ND</sup> RDG 12. APPROVING & ACCEPTING THE FINAL PLAT OF VIENNA WOODS ALLOTMENT NO. 2 IN CITY OF CANTON; EMERGENCY
- 2<sup>ND</sup> RDG 13. APPROVING & ACCEPTING THE REPLATTING OF PARTS OF TWO OUTLOTS #45 & 315 AS REQUESTED BY COOPER & ASSOCIATES BY GROFFRE INVESTMENTS; EMERGENCY
- 2<sup>ND</sup> RDG 14. APPROVING & ACCEPTING THE REPLATTING OF LOTS #5720, 5721, 5722 & 5723 ON GARFIELD AVE SW AS REQUESTED BY ACCURATE TECHNOLOGIES FOR THE TIMKEN COMPANY; EMERGENCY
- 5/2004** 15. APPROVING A 1-YR COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF CANTON AND CPFFA LOCAL 249; EMERGENCY.
- 2<sup>ND</sup> RDG 16. AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR REMOVAL OF NOXIOUS WEEDS & DEBRIS; EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- 6/2004** 17. 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

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING CONTINUED:

- 7/2004** 18. 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
- 8/2004** 19. AUTHORIZING CITY PARTICIPATION IN STATE COOPERATIVE PURCHASING PROGRAM FOR PURCHASE OF SUPPLIES, SERVICE, EQUIPMENT & CERTAIN MATERIALS; EMERGENCY
- 9/2004** 20. 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
- 10/2004** 21. WAIVING THE RESIDENCY REQUIREMENT OF OHIO REVISED CODE SECTION 737.01 DURING THE APPOINTMENT OF BERNARD HUNT AS PUBLIC SAFETY DIRECTOR

- 11/2004** 22. 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
- 12/2004** 23. 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
- 13/2004** 24. 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
- 14/2004** 25. AMENDING SECTION 181.05, RETURN AND PAYMENT OF TAX; REFUND, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

Monday, February 23, 2004 @ 6:00 PM, Council Caucus Room

1. Public Safety & Thoroughfares Committee

Monday, February 23, 2004 @ 6:15 PM, Council Caucus Room

2. Personnel Committee
3. Intergovernmental & Public Service Committee
4. Finance Committee

Monday, February 23, 2004 @ 6:30 PM, Council Caucus Room

5. Community & Economic Development Committee

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): (2 Speakers)

MISCELLANEOUS BUSINESS: Discussions re: paving, contract for management of Civic Center, closing of fire stations, ice on alleys, demolitions, illegal dumping

ADJOURNMENT TIME: 8:51 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD MONDAY, FEBRUARY 23, 2004 @ 7:30 PM  
(THERE WILL BE NO MEETING ON THE PRESIDENTS' DAY HOLIDAY FEBRUARY 16, 2004)