

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

FEBRUARY 23, 2004

ROLL CALL: All 12 Councilmembers present

INVOCATION: Given by Ward 2 Councilmember Thomas West

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

*Moment of silence held for Staff Sgt. Ramey, Mary Jane Serra and Marcia Roach.

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#4-11; Suspended Rule 24B to add Resolutions #28&29; Amended & Adopted O#12)

PUBLIC HEARINGS: (NONE)

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

INFORMAL RESOLUTIONS:

VICE PRESIDENT DON CASAR: EXCUSING MEMBERS (No motion necessary, all members present)

SUSPENDED RULE 24B TO ADD RESOLUTIONS #28&29:

28. PERSONNEL COMMITTEE: CONFIRMING MAYOR CREIGHTON'S REAPPOINTMENT OF RICHARD McELROY TO THE STARK COUNTY REGIONAL PLANNING COMMISSION FOR ONE YEAR EFFECTIVE THROUGH 12/31/04. - ADOPTED

29. PERSONNEL COMMITTEE: CONFIRMING MAYOR CREIGHTON'S APPOINTMENT OF ECILA TUCK TO THE FAIR HOUSING COMMISSION EFFECTIVE 1/1/04 THROUGH 12/31/08. - ADOPTED

COMMUNICATIONS:

102. CARBENIA, WARD 9 MEMBER: SUBMITTING LETTER TO MAYOR OPPOSING THE CLOSING OF ANY FIRE STATION IN THE CITY. - RECEIVED & FILED

103. CARBENIA, WARD 9 MEMBER: SUBMITTING LETTER TO MAYOR REQUESTING ENTRANCE EXAMINATION FOR POLICE OFFICERS AND FIREFIGHTERS IN ORDER TO HAVE AN EXISTING ELIGIBILITY LIST. - RECEIVED & FILED

104. CLERK OF COUNCIL VANCKUNAS: ADVISING CD & PLANNING DIRECTOR SHEILA THARP-BARRINO THAT COUNCIL WILL NOT REPLACE CURRENT MEMBERS UNTIL A VACANCY OCCURS ON THE COMMUNITY REINVESTMENT AREA HOUSING COUNCIL. - RECEIVED & FILED

105. DIAMOND, WARD 8 MEMBER: LETTER & RELEVANT DOCUMENTATION TO JUDICIARY COMMITTEE CHAIRMAN TOM BERNABEI REQUESTING INPUT REGARDING AN INCREASE IN THE CITY'S LODGING TAX. - RECEIVED & FILED

106. HABITAT FOR HUMANITY OF GREATER CANTON, INC.: REQUEST TO VACATE UNNAMED ALLEY RUNNING EAST FROM SHRIVER AVENUE NE IN THE 1500 BLOCK TO MADDRELL COURT NE & REPLAT OF CANTON CITY LOTS 13968 & LOT 8907. - PLANNING COMMISSION

107. HEALTH BENEFITS ADM. BRESSON: JANUARY MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JANUARY 2004 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED

108. LAW DIRECTOR MARTUCCIO: LETTER REGARDING DRAFT LEGISLATION FOR A COMMUNITY REINVESTMENT AREA AGREEMENT (CRA) FOR SHAWN O'BRIEN PROPERTIES LLC. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

109. LIQUOR CONTROL DIVISION (OHIO): REQUEST FOR TRANSFER OF D2, D2X PERMIT FROM ANITA LOUISE PUNTENNEY dba PUTTS HOLLAND INN TO LORRAINE A. BOYLE dba HOLLAND INN LOCATED @ 827 10TH ST NW. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

110. LIQUOR CONTROL DIVISION (OHIO): REQUEST FOR TRANSFER OF C1, C2 PERMIT FROM CLARK RETAIL ENTERPRISES, INC. dba CLARK STORE 1116 TO SHAHNIL CANTON INC LOCATED @ 2201 9TH ST SW. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

COMMUNICATIONS - CONTINUED:

111. MAYOR JANET WEIR-CREIGHTON: REQUEST CONFIRMATION OF REAPPOINTMENT OF RICHARD McELROY TO THE STARK COUNTY REGIONAL PLANNING COMMISSION FOR ONE YEAR EFFECTIVE THROUGH 12/31/04. - PERSONNEL COMMITTEE

(See Resolution #28)

112. MAYOR JANET WEIR-CREIGHTON: REQUEST CONFIRMATION OF APPOINTMENT OF MS. ECILA TUCK TO THE FAIR HOUSING COMMISSION EFFECTIVE 1/1/04 THROUGH 12/31/08. - PERSONNEL COMMITTEE (See Resolution #29)
113. MAYOR JANET WEIR-CREIGHTON: REQUEST AUTHORIZATION FOR MAYOR TO FILE APPLICATION, ADMINISTER FUNDS AND ENTER INTO NECESSARY CONTRACTS WITH HUD FOR THE CANTON FEDERAL CENTER; REQUEST AUTHORIZATION FOR AUDITOR TO ESTABLISH A FUND TO DEPOSIT FUNDS AND PAY EXPENDITURES; REQUESTING AUTHORIZATION TO TRANSFER MONIES TEMPORARILY FROM THE WORKERS' COMPENSATION FUND AS NEEDED FOR CONSTRUCTION OF THE CANTON FEDERAL CENTER. - MARKETING & DEVELOPMENT GRANT AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
114. PRESIDENT OF COUNCIL DENCZAK: NOTIFICATION OF APPOINTMENT OF COUNCIL FINANCE CHAIRMAN GREG HAWK TO SERVE AS PRESIDENT DENCZAK'S DESIGNEE ON THE SYSTEMS PLANNING BOARD. - RECEIVED & FILED
115. SERVICE DIRECTOR ELLSWORTH: REQUEST AUTHORIZATION TO ADVERTISE FOR LETTERS OF INTEREST & STATEMENTS OF QUALIFICATIONS TO NEGOTIATE CONTRACT PRICE FOR ENGINEERING SERVICES STUDY FOR A CAPITAL IMPROVEMENT PLAN FOR THE NORTHEAST, NORTHWEST AND SUGAR CREEK WATER TREATMENT PLANTS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
116. SERVICE DIRECTOR ELLSWORTH: REQUEST TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR LEASE OF TWO BACKHOE LOADERS FOR WATER DEPARTMENT. - FINANCE COMMITTEE
117. SERVICE DIRECTOR ELLSWORTH: REQUESTING AUTHORITY TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT TO REPLACE CEILING/ROOF ON POOL HOUSE AND REPLACE DECK AT NORTH END OF JACKSON POOL; REQUESTING \$157,500.00 SUPPLEMENTAL APPROPRIATION FROM THE UNAPPROPRIATED BALANCE OF THE 4501 CAPITAL IMPROVEMENT FUND AND \$315,000.00 FROM THE UNAPPROPRIATED BALANCE OF THE 4560 JACKSON POOL IMPROVEMENT FUND. - PUBLIC PROPERTY & CAPITAL IMPROVEMENT COMMITTEE AND FINANCE COMMITTEES
118. STARK COUNTY COMMISSIONERS: SUBMITTING ALL ANNEXATION MATERIALS RE: FORD/REPUBLIC GEORGETOWN ROAD ANNEXATION AREA. - ANNEXATION COMMITTEE
119. TREASURER SCHIRACK: COMPARATIVE REPORT OF CASH RECEIPTS AS OF 1/31/04. - RECEIVED & FILED
120. ZACHARY, WARD 4 MEMBER: REQUEST APPROVAL OF ORDINANCE TO INSTALL STREET LIGHTS ON HOWINGTON CIRCLE. - SIDEWALK & STREET LIGHTING COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. APPROVING & ACCEPTING THE REPLATTING OF LOT 42208 & OUTLOT 1035; APPROVING & ACCEPTING THE DEDICATION OF PART OF 55TH STREET NE AS REQUESTED BY HARPER SURVEYING ON BEHALF OF THE LINDER FAMILY; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 2. AUTHORIZING PUBLIC SERVICE DIRECTOR TO ADVERTISE & RECEIVE BIDS FOR SALE OF PARCEL NO. 02-46631 LOCATED ON GONDER AVE SE NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND TO CONVEY SAID PROPERTY TO THE HIGHEST BIDDER.
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING - CONTINUED:

- 1ST RDG 3. APPROVING WATER MAIN EXTENSION TO WILLIAM DAY CONDOMINIUMS LOCATED AT THE CORNER OF PERRY DRIVE AND OAKVALE STREET SW IN PERRY TOWNSHIP; AUTHORIZING PUBLIC SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR SAME; EMERGENCY
Referred to Environmental & Public Utilities Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#4-11:**

- 2ND RDG 4. VACATING A PORTION OF 14TH ST SW & LAWN AVE SW REQUESTED BY STREAMO FOR DUMONT SEED COMPANY; EMERGENCY **PUB HRG 3/1/04 @ 7:30 PM**
- 2ND RDG 5. 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
- 2ND RDG 6. 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
- 2ND RDG 7. 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
- 2ND RDG 8. 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
- 2ND RDG 9. 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
- 2ND RDG 10. 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 A TRANSFER FOR SAME; EMERGENCY
- 2ND RDG 11. 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

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:**AMENDED**

- 15/2004** 12. AUTHORIZING MAYOR AND/OR SAFETY OR SERVICE DIRECTOR TO COMPLETE CONTRACTING PROCESS FOR PREVIOUSLY APPROVED CONTRACTS NOT COMPLETED BEFORE JANUARY 1, 2004; EMERGENCY
- 16/2004** 13. AUTHORIZING SERVICE DIRECTOR TO FILE APPLICATION WITH THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO ASSISTANCE FUND, APPLY FOR FINANCIAL ASSISTANCE & 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 (BISON PROJECT AT 1935 ALLEN AVE SE); EMERGENCY
- 17/2004** 14. 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
- 18/2004** 15. APPROVING & ACCEPTING THE FINAL PLAT OF VIENNA WOODS ALLOTMENT NO. 2 IN CITY OF CANTON; EMERGENCY
- 19/2004** 16. APPROVING & ACCEPTING THE REPLATTING OF PARTS OF TWO OUTLOTS #45 & 315 AS REQUESTED BY COOPER & ASSOCIATES BY GROFFRE INVESTMENTS; EMERGENCY
- 20/2004** 17. APPROVING & ACCEPTING THE REPLATTING OF LOTS #5720, 5721, 5722 & 5723 ON GARFIELD AVE SW AS REQUESTED BY ACCURATE TECHNOLOGIES FOR THE TIMKEN COMPANY; EMERGENCY
- AMENDED**
- 21/2004** 18. AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR REMOVAL OF NOXIOUS WEEDS & DEBRIS; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

Monday, March 1, 2004 @ 6:45PM, Council Caucus Room

1. Public Safety & Thoroughfares Committee
2. Public Property Capital Improvement Committee
3. Environmental & Public Utilities Committee

MISCELLANEOUS BUSINESS: Discussion re: the closing of fire stations

ADJOURNMENT TIME: 8:26 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD MONDAY, MARCH 1, 2004 @ 7:30 PM