

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

April 26, 2004

ROLL CALL: All 12 Councilmembers present

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#4; Suspended Rule 22B to add O#3; Suspended Rule 24B to add Re#56; Adopted 1<sup>st</sup> Rdg O#3 pursuant to Rule 22D; Amended O#7 & 9)

PUBLIC HEARINGS:

7:30 PM A REQUEST BY DENNIS & CAROL REED TO REZONE LOT #30741 LOCATED AT 3801 GREENWOOD PLACE SW TO PERMIT A FAMILY SUPPORT SERVICES FACILITY IN AN EXISTING HOUSE ADJACENT TO THE REED FUNERAL HOME COMPLEX.

(PLANNING COMMISSION RECOMMENDS APPROVAL) (One Speaker) (See O.66/2004)

7:31 PM A REQUEST BY JOE WARD FOR JOSEPH MATTHEWS POST 3417 VFW TO REZONE LOTS #14325-14326 & PARTS OF OUTLOTS 181 & 182 LOCATED AT 1836 8<sup>TH</sup> STREET NE TO PERMIT A NEW VFW POST & PARKING.

(PLANNING COMMISSION RECOMMENDS APPROVAL) (One Speaker) (See O.67/2004)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): (Two Speakers re: Jackson Pool)

INFORMAL RESOLUTIONS:

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

SUSPENDED RULE 24B TO ADD RE#56

56. WEST, WARD 2 MEMBER: COMMENDING GERRY RADCLIFFE FOR HER CONTRIBUTIONS DURING MINORITY HEALTH MONTH. - ADOPTED

COMMUNICATIONS:

224. CASAR, MAJORITY LEADER: APPOINTING COMMITTEE OF FIVE COUNCILMEMBERS TO ADDRESS JACKSON POOL SITUATION & POSSIBILITY OF BUILDING A NEW SWIMMING POOL IN THE CITY. - RECEIVED & FILED

225. CHIEF OF STAFF CONCATTO: REQUESTING LEGISLATION ESTABLISHING THE FAIR MARKET VALUE OF CERTAIN REAL PROPERTY IN CONJUNCTION WITH THE FEDERAL CAMPUS PROJECT; AUTHORIZING MAYOR &/OR CHIEF OF STAFF TO NEGOTIATE & PURCHASE SAID PARCELS AT THE ESTABLISHED FMV. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE

226. CHIEF OF STAFF CONCATTO: REQUESTING EXECUTIVE SESSION ON 4/26/04 TO DISCUSS THE FACT FINDER'S REPORT REGARDING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN CANTON PROFESSIONAL FIREFIGHTERS ASSOC (CPFFA) & CITY OF CANTON. - PERSONNEL CMTE

**SUSPENDED RULE 22B TO ADD RE#3**

227. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HEARING SET FOR 5/3/04 AT 11:00 AM AT STARK COUNTY OFFICE OF JOB & FAMILY SERVICES, 220 E TUSC, CANTON, ON OBJECTION TO C2, 2X, D6 STOCK TRANSFER REQUESTED BY CANTON HORIZON PETROLEUM, dba GASCO EXPRESS MART, 3325 HARMONT AVE NE. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

228. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HEARING SET FOR 5/3/04 AT 10:00 AM AT STARK COUNTY OFFICE OF JOB & FAMILY SERVICES, 220 E TUSC, CANTON, ON OBJECTION TO NEW C1-2 PERMIT REQUESTED BY R&S CONVENIENT MART, dba B&B SUPERMARKET, 636 CHERRY AVE NE. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

229. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HEARING SET FOR 5/3/04 AT 9:00 AM AT STARK COUNTY OFFICE OF JOB & FAMILY SERVICES, 220 E TUSC, CANTON, ON OBJECTION TO C1-2 PERMIT REQUESTED BY JENNINGS ENTERPRISES, dba RJ'S, 2417 4<sup>TH</sup> ST NW. - INTERGOVERNMENTAL & PUBLIC SER CMTE

COMMUNICATIONS CONTINUED:

230. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HEARING SET FOR 5/3/04 AT 11:00 AM AT STARK COUNTY OFFICE OF JOB & FAMILY SERVICES, 220 E TUSC, CANTON, ON OBJECTION TO RENEWAL OF C2, 2X, D6 PERMIT REQUESTED BY CANTON HORIZON PETROLEUM, dba GASCO EXPRESS MART, 3325 HARMONT AVE NE. -

## INTERGOVERNMENTAL &amp; PUBLIC SERVICE CMTE

231. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HEARING SET FOR 5/3/04 AT 11:00 AM AT STARK COUNTY OFFICE OF JOB & FAMILY SERVICES, 220 E TUSC, CANTON, ON OBJECTION TO C2, 2X D6 TRANSFER OF OWNERSHIP REQUESTED BY M&K SUPER SERVICE, dba GASCO EXPRESS MART, 3325 HARMONT AVE NE. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
232. LIQUOR CONTROL DIVISION (OHIO): REQUEST FOR TRANSFER OF C1, C2 LIQUOR PERMIT CURRENTLY HELD BY SALEH & HATTAR, INC. TO BAIT NABALAH, INC., dba BEST FOR LESS @ 1100 12<sup>TH</sup> ST NW. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
233. PLANNING COMMISSION: RECOMMENDING DENIAL OF ZONE CHANGE REQUESTED BY CHARLES WEBSTER FOR EARL LUTTNER FROM R-1A TO PI-1 LOCATED AT 516 MCGREGOR AVE NW TO PERMIT UNSPECIFIED INDUSTRIAL & STORAGE USES. - LAW DEPARTMENT. PUB HRG SCHEDULED FOR 6/7/04 @ 7:30
234. PLANNING COMMISSION: RECOMMENDING APPROVAL OF ZONE CHANGE REQUESTED BY NANCY RALLS FOR NATIONAL DRIVER TRAINING SCHOOL FROM PB-3 TO PB-1 AT 3319 WEST TUSCARAWAS STREET TO PERMIT AN OFFICE BUILDING. - LAW DEPARTMENT. PUB HRG SCHEDULED FOR 6/7/04 @ 7:31 PM
235. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY CONSTITUTION LAND SURVEYING FOR DSM ENTERPRISES TO REPLAT PARTS OF TWO OUTLOTS (397 & 405), PARTS OF LOTS 3304, 3305 & 13039, & A PREVIOUSLY VACATED ALLEY AT BELDEN AVE NE INTO TWO NEW LOTS. - PUBLIC SAFETY & THOROUGHFARES CMTE
236. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY DEMPSEY SURVEYING FOR KENNETH & PATRICIA KENDAL & CHERYL LIPFORD TO REPLAT PARTS OF TWO OUTLOTS (808 & 809) INTO TWO NEW LOTS (FOR A BOB EVANS RESTAURANT) *CONTINGENT ON PLAT CORRECTION BEING MADE TO THE SATISFACTION OF THE CITY CIVIL ENGINEER.* - PUB SAF & THRU CMTE
237. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY COOPER & ASSOC FOR HABITAT FOR HUMANITY TO REPLAT THREE PARCELS INTO TWO RECONFIGURED LOTS (LOTS 1674-1676) LOCATED NORTH OF 2<sup>ND</sup> ST SE BETWEEN ROWLAND AVE & LYMAN CT SE. - PUB SAF & THRU CMTE
238. SER DIR ELLSWORTH&SAF DIR HUNT: REQUESTING AUTHORIZATION TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT IN ACCORDANCE WITH ORC SEC 125.04, STATE COOPERATIVE PURCHASING AGREEMENT, &/OR ENTER INTO CONTRACT IN ACCORDANCE WITH ORC SEC 5513.01, OHIO DEPT OF TRANSPORTATION PURCHASING AGREEMENT, FOR THE PURCHASE OF VARIOUS VEHICLES & EQUIPMENT IN CITY'S 2004 VEHICLE 4502 PROGRAM. - PUB PROPERTY CAPITAL IMPROVEMENT & FINANCE CMTE
239. SERVICE DIRECTOR ELLSWORTH: REQUESTING APPROVAL OF FINAL LEGISLATION FOR THE ODOT PROJECT FOR MILLING AND RESURFACING ST RT 43 FROM CHERRY AVE BRIDGE TO 19<sup>TH</sup> ST NE & ST RT 153 FROM MAPLE AVE TO WOOSTER AVE NE, A FINAL RESOLUTION, FISCAL OFFICER'S CERTIFICATE, EXECUTED CONTRACT & OFFICIAL HIGHWAY INVOICE. - PUBLIC SAFETY & THOROUGHFARES CMTE
240. SERVICE DIRECTOR ELLSWORTH: REQUESTING A RESOLUTION AMENDING RESOLUTION 59/2004 TO INCLUDE LANGUAGE REGARDING A PERMANENT EASEMENT FOR SANITARY SEWER PURPOSES IN THE 4<sup>TH</sup> ST NE RECONSTRUCTION PRJ. - COMMUNITY ECONOMIC DEVELOPMENT & FINANCE CMTE
241. TAX INCENTIVE REVIEW COUNCIL: MINUTES OF MEETING HELD 3/4/04 & COPY OF ENTERPRISE ZONE ANNUAL SUMMARY REPORT FOR THE 2003 REPORTING YEAR. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1<sup>ST</sup> RDG 1. AMENDING SECTIONS 1313.06 & 1315.09 OF THE ELECTRICAL & PLUMBING CODES OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (RE: LICENSING REQUIREMENTS FOR JOURNEYMEN ELECTRICIAN & PLUMBER); EMERGENCY  
Referred to Judiciary Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZING PUBLIC SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR THE CONSTRUCTION OF THE MARKET AVENUE N. SANITARY SEWER REPLACEMENT PROJECT, GP 1070; EMERGENCY  
Referred to Public Safety & Thoroughfares & Finance Committees

**SUSPENDED RULE 22B TO ADD RE#3**

- 68/2004\*** 3. RESOLUTION APPROVING THE RECOMMENDATIONS OF THE FACT FINDER'S REPORT DATED 4/20/04 CONCERNING SETTLEMENT OF CONTRACTUAL DISPUTES BETWEEN THE CITY OF CANTON & THE CPFFA LOCAL 249  
Referred to Personnel Committee

**\*8:01 to 8:03 PM Recess for committee meeting on Re#3, which was returned to the agenda for adoption.**

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

- 2<sup>ND</sup> RDG 4. AUTHORIZING PUBLIC SERVICE DIRECTOR TO ENTER INTO A FOUR YEAR SOFTWARE MAINTENANCE AGREEMENT, DAS UPGRADE & NEW DAS COMPUTER WITH CONTEC SYSTEMS FOR WPCC; AMENDING O.1/2004 FOR \$32,075.00 SUPPLEMENTAL APPROPRIATION FROM THE 5410 SANITARY SEWER FUND; EMERGENCY (Finance Cmte)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- \*66/2004** 5. AMENDING ZONING ORDINANCE 55/77 TO REZONE LOT NO. 30741, LOCATED AT 3801 GREENWOOD PLACE SW AS REQUESTED BY DENNIS & CAROL REED; EMERGENCY  
**PUB HRG HELD 4/26/04 @ 7:30 PM**
- \*67/2004** 6. AMENDING ZONING ORDINANCE 55/77 TO REZONE LOT NO. 14325, PART OF LOT NO. 14326 & PARTS OF OUTLOTS NOS. 181 & 182, LOCATED AT 1836 8<sup>TH</sup> STREET NE AS REQUESTED BY VFW POST 3417; EMERGENCY  
**PUB HRG HELD 4/26/04 @ 7:31 PM**

**\*Adopted out of sequence**

**AMENDED**

- 69/2004** 7. AUTHORIZING MAYOR TO ACCEPT & ADMINISTER \$30,000 GRANT FROM CANTON REGIONAL CHAMBER OF COMMERCE FOUNDATION; AUTHORIZING MAYOR &/OR CHIEF OF STAFF TO ENTER INTO CONTRACT WITH DHR INTERNATIONAL TO RECRUIT A COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR; & AMENDING O.1/2004 FOR \$30,000 SUPPLEMENTAL APPROPRIATION FROM THE 1001 GENERAL FUND; EMERGENCY

- 70/2004** 8. AMENDING ORDINANCE 50/2003 TO MAKE NECESSARY CHANGES OF OWNERSHIP ON PARCEL #02-23286 IN THE 4<sup>TH</sup> STREET NE RECONSTRUCTION PROJECT; EMERGENCY

**AMENDED**

- 71/2004** 9. ESTABLISHING & DESIGNATING THE SUMMIT NEIGHBORHOOD COMMUNITY REINVESTMENT AREA; AUTHORIZING TAX EXEMPTIONS FOR QUALIFYING PROJECTS WITHIN THE COMMUNITY REINVESTMENT AREA; & ESTABLISHING PROGRAM CONDITIONS; EMERGENCY

- 72/2004** 10. AUTHORIZING MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH MCGRANN PAPER CORP PROVIDING REAL & PERSONAL PROPERTY TAX EXEMPTIONS; AUTHORIZING GRANTING 100% OF 10-YR REAL & PERSONAL PROPERTY TAX EXEMPTIONS; AUTHORIZING AUDITOR TO MAKE PAYMENTS TO CANTON BOARD OF EDUCATION PURSUANT TO ORC 5709.82 (C) & (D); EMERGENCY

- 73/2004** 11. AUTHORIZING MAYOR &/OR SERVICE DIRECTOR & SAFETY DIRECTOR TO CONTRACT FOR VARIOUS CONTRACTS PREVIOUSLY UNCOMPLETED BEFORE 1/1/04; EMERGENCY

- 74/2004** 12. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO 3-YEAR PROFESSIONAL MEDICAL SERVICES CONTRACT FOR CITY OF CANTON JOB APPLICANTS & EMPLOYEES WITH US HEALTHWORKS OF OHIO INC. EFFECTIVE 4/21/04-4/30/07 TO CONDUCT PRE-EMPLOYMENT PHYSICALS, DRUG SCREENS, ETC; EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING - CONTINUED:

**75/2004** 13. AUTHORIZING SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR THE LIFT STATIONS REPLACEMENT PROJECT; AMENDING O.1/2004 FOR A \$100,000 SUPPLEMENTAL APPROPRIATION FROM THE 5410 SANITARY SEWER FUND; EMERGENCY

**POSTPONED TO**

**5/3/04** 14. AMENDING O.1/2004 FOR A \$17,500 SUPPLEMENTAL APPROPRIATION FROM THE 4501 CAPITAL IMPROVEMENT FUND FOR PRE-SEASON RENOVATION OF JACKSON POOL; EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS - POSTPONED MATTER:

**76/2004** 15. **(POSTPONED FROM 4/19/04)** A RESOLUTION APPROVING STATEMENT OF SERVICES TO BE PROVIDED TO PROPERTY OWNERS IN MCKINLEY DEVELOPMENT/PLAIN TOWNSHIP CEDA ANNEXATION, DATE OF PROVIDED SERVICES & PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ANNEXATION TO CITY OF CANTON; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, MAY 3, 2004 AT 5:30 PM, Council Chamber  
Presentation by Greater Canton Chamber of Commerce to City Council

MONDAY, MAY 3, 2004 AT 6:30 PM, Council Caucus Room  
1. Judiciary Committee  
2. Public Safety & Thoroughfares Committee  
3. Finance Committee

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

MISCELLANEOUS BUSINESS:      Discussion re: O#10; discussion re: drug problem in Ward 4; Hawk re: sexual predators; West re: Jackson Pool; Casar re: clean up Canton; Dougherty re: clean up in Ward 6; Hart re: Crenshaw Students cleaning up Ward 7.

ADJOURNMENT TIME:      8:34 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD MONDAY, MAY 3, 2004 @ 7:30 PM