

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

June 21, 2004

ROLL CALL: 10 Councilmembers present; 2 absent (Dougherty & Hart)
INVOCATION: Given by Ward 8 Councilmember Rosemary Diamond
PLEDGE OF ALLEGIANCE: Led by President of Council President Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 24B to add Re#69; Suspended Rule 22A to add Communication #359, 1st Rdg O#10A, & 2nd Rdg O#13-14; Suspended Rule 22B to add O#10A; Adopted 1st Rdg O#9; 2nd Rdg O#11, 12 & 15 retained in committee)

PUBLIC HEARINGS:

7:30 PM A REQUEST BY NICHOLAS W. CONLEY, SR. TO REZONE 504 15TH STREET NW FROM B-2 TO PB-3 FOR AN OFFICE BUILDING WITH STORAGE AND PARKING OF TOW TRUCKS & OTHER MOTOR VEHICLES.
(PLANNING COMMISSION RECOMMENDS APPROVAL) (No Speakers) See O.105/2004

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

INFORMAL RESOLUTIONS:

VICE PRESIDENT DON CASAR: EXCUSING MEMBERS DOUGHERTY & HART.

68. COUNCIL-AS-A-WHOLE: COMMENDING DR. PETER D. FERGUSON FOR HIS SERVICE TO THE CANTON CITY BOARD OF HEALTH. - POSTPONED TO 7/12/04

SUSPENDED RULE 24B TO ADD #69:

69. WEST & ZACHARY, MEMBERS: COMMENDING WARREN P. CHAVERS & DELIVERANCE CHRISTIAN CHURCH ON THEIR 25TH ANNIVERSARY. - ADOPTED

COMMUNICATIONS:

332. BOWSER MORNER, INC.: NOTICE OF PUBLIC MEETING ON 7/13/04 FROM 6:30 PM TO 8:30 PM @ CANTON CIVIC CENTER MCKINLEY ROOM LOBBY RE: APPLICATION FOR "PERMIT TO INSTALL" A SOLID WASTE TRANSFER STATION BY JMW TRUCKING SERVICES LOCATED @ 1800 ALLEN RD SE, & NOTICE OF PUBLICATION OF SAME. - RECEIVED & FILED

333. CARBENIA, WARD 9 MEMBER: COMMENDING CITY EMPLOYEES WHO VOLUNTEERED TO PLANT THE PERIMETER OF CITY HALL WITH FLOWERS ON 6/4/04. - REC'D & FILED

334. HEALTH BENEFITS ADM. BRESSON: MAY MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JAN-MAY PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED

335. HEALTH COMMISSIONER PATTISON: REQUESTING VARIOUS SUPPLEMENTAL APPROPRIATIONS. - FINANCE CMTE

336. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF TENTATIVE HEARING DATE OF 7/6/04 ON OBJECTION TO REQUEST BY TAP STATIONS INVESTMENTS, dba AP, FOR A NEW C1,2 LIQUOR PERMIT @ 903 12TH ST NE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

337. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF TENTATIVE HEARING DATE OF 7/6/04 ON OBJECTION TO REQUEST BY BZA CONVENIENT MART, dba GAS CITY, FOR TRANSFER OF C1,2 LIQUOR PERMIT @ 216 ROWLAND AVE NE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

338. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF TENTATIVE HEARING DATE OF 7/6/04 ON OBJECTION TO REQUEST BY PLATINUM DYNASTY, dba CLUB BLUEPRINT, FOR TRANSFER OF D5 LIQUOR PERMIT @ 1016 12TH ST NE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

339. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HEARING FOR 7/6/04 AT 10:30 AM IN COUNCIL CAUCUS ROOM ON OBJECTION TO REQUEST BY BZA CONVENIENT MART, dba GAS CITY, FOR TRANSFER OF C1,2 LIQUOR PERMIT @ 216 ROWLAND AVE NE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

340. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HEARING FOR 7/6/04 AT 1:30 PM IN COUNCIL CAUCUS ROOM ON OBJECTION TO REQUEST BY PLATINUM DYNASTY, dba CLUB BLUEPRINT, FOR TRANSFER OF D5 LIQUOR PERMIT @ 1016 12TH ST NE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

COMMUNICATIONS CONTINUED:

341. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HEARING FOR 7/6/04 AT 11:30 AM IN COUNCIL CAUCUS ROOM ON OBJECTION TO REQUEST BY TAP STATIONS INVESTMENTS, dba AP,

- FOR NEW C1,2 LIQUOR PERMIT @ 903 12TH ST NE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
342. LIQUOR CONTROL DIVISION (OHIO): ORDER OVERRULING CITY'S OBJECTION TO ISSUANCE OF NEW C1,2 LIQUOR PERMIT REQUESTED BY JENNINGS ENTERPRISES, INC., dba RJ'S, @ 2417 4TH ST NW, & PERMITTING PROCESSING OF APPLICATION TO CONTINUE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
343. MAYOR JANET WEIR-CREIGHTON: REQUEST TO AMEND SECTION 123.05(a) OF THE CANTON CITY CODIFIED ORDINANCES PERTAINING TO "TRAVEL EXPENSE GENERALLY" TO INCREASE THE PAYMENT FOR MILEAGE FROM \$.30 TO \$.37 PER MILE FOR EMPLOYEES WHO UTILIZE THEIR PRIVATE VEHICLES FOR CITY BUSINESS. - JUDICIARY COMMITTEE
344. PLANNING COMMISSION: RECOMMENDING APPROVAL OF THE FEDERAL CAMPUS PROJECT URBAN REDEVELOPMENT PLAN & ATTACHING RELEVANT REPORT. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
345. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY JEFFERY DIMMERLING FOR DIMMERLING VENTURES TO REZONE OUTLOT 517, LOCATED AT 1131 WERTZ AVE NW, FROM B-3 TO PB-4 TO PERMIT A COMMERCIAL BUILDING WITH LIVING QUARTERS ON 2ND FLOOR AND REAR STORAGE BUILDING. - LAW DEPT. PUB HRG 7/26/04 @ 7:30 PM (See O#1, 1st Rdg)
346. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY FELIX MOLLETT TO VACATE PORTIONS OF AN UNNAMED 10' ALLEY NORTH OF 14TH ST SE. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
347. SAFETY DIRECTOR HUNT: REQUESTING AUTHORIZATION TO ACCEPT \$1,195.00 DONATION ON BEHALF OF THE FIRE DEPT TO ASSIST IN PURCHASE OF SMOKE DETECTORS FOR CANTON CITIZENS, & REQUEST \$1,195.00 SUPPLEMENTAL APPROPRIATION FROM 2783 SMOKE DETECTOR FUND. - FINANCE COMMITTEE
348. SAFETY DIRECTOR HUNT: REQUESTING AUTHORIZATION TO ENTER INTO \$57,200.00 CONTRACT WITH TRAFFIC SYSTEMS, LLC FOR PURCHASE OF 44 SONEM PHASE SELECTORS AT \$1,300.00 EACH. - PUBLIC PROP CAP IMPR & FIN CMTE
349. SAFETY DIRECTOR HUNT: REQUESTING AUTHORIZATION TO ACCEPT \$300.00 DONATION ON BEHALF OF THE FIRE DEPT TO ASSIST IN PURCHASE OF SMOKE DETECTORS FOR CANTON CITIZENS, & REQUEST \$300.00 SUPPLEMENTAL APPROPRIATION FROM 2783 SMOKE DETECTOR FUND. - FINANCE COMMITTEE
350. SERVICE DIRECTOR ELLSWORTH: REQUESTING AUTHORIZATION TO ENTER INTO FIVE YEAR \$115,000.00 AGREEMENT WITH CTR SYSTEMS, INC. FOR THE MAINTENANCE AND SUPPORT OF THE KRONOS TIME KEEPER SYSTEM. - PUBLIC PROP CAP IMPR & FINANCE COMMITTEES
351. SERVICE DIRECTOR ELLSWORTH: REQUESTING APPROVAL OF WATER MAIN EXTENSION ON WHITTIER STREET NE IN PLAIN TOWNSHIP AS REQUESTED BY PROPERTY OWNER.- ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
352. SERVICE DIRECTOR ELLSWORTH: REQUESTING AUTHORIZATION TO ACCEPT \$236,000.00 GRANT FROM OHIO EMERGENCY MANAGEMENT AGENCY TO PURCHASE & INSTALL SECURITY EQUIPMENT THROUGHOUT WATER TREATMENT & DISTRIBUTION SYSTEM, SET UP SPECIAL ACCOUNT 5223 207001 WATER CRITICAL INFRASTRUCTURE PROTECTION FUND AND \$236,000 APPROPRIATION, AND AUTHORIZATION TO PURCHASE & INSTALL EXTERIOR LIGHTING, SECURITY CAMERAS & INTRUSION DETECTORS FOR THE NORTHEAST, NORTHWEST & SUGAR CREEK WATER TREATMENT PLANTS UNDER THE STATE CONTRACT FROM SIMPLEX GRINNELL, AND TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR PURCHASE & INSTALLATION OF PERIMETER FENCING & ENTRY GATES FOR SAME. - ENVIRONMENTAL & PUBLIC UTILITIES & FINANCE CMTE

COMMUNICATIONS CONTINUED:

353. SERVICE DIRECTOR ELLSWORTH: REQUESTING AUTHORIZATION TO ENTER INTO \$40,243.12 CONTRACT WITH NORTHRUP GRUMMAN MISSION SYSTEMS FOR PURCHASE OF MARCS (MULTI-AGENCY RADIO COMMUNICATIONS SYSTEM) FOR HEALTH DEPT. - PUBLIC PROP CAP IMPR & FINANCE CMTE
354. SERVICE DIRECTOR ELLSWORTH: REQUESTING APPROVAL OF \$19,488.00 PAYMENT AS MORAL OBLIGATION TO HANNON ELECTRIC CO. FOR EMERGENCY REPAIR OF GEARBOX FOR #1 RETURN ACTIVATED SLUDGE (RAS) PUMP AT THE WATER POLLUTION CONTROL CENTER. - ENV & PUB UTIL & FIN CMTE

355. SERVICE DIRECTOR ELLSWORTH: REQUEST TO AMEND O.174/95 WHICH ESTABLISHES VARIOUS PETTY CASH & CHANGE DRAWERS THROUGHOUT THE CITY TO INCLUDE \$100.00 PETTY CASH FUND FOR WATER POLLUTION CONTROL CENTER. - FINANCE COMMITTEE
356. SLIMAN, SAM, AGT FOR PETITIONER: COPY OF ANNEXATION PETITION DOCUMENTS THAT HAVE BEEN FILED WITH STARK COUNTY COMMISSIONERS IN THE GROFFRE/RICHMOND ANNEXATION. - ANNEXATION COMMITTEE
357. TREASURER SCHIRACK: COMPARATIVE REPORT OF PARKING METER REVENUE FOR THE MONTH OF MAY 2004. - RECEIVED & FILED
358. TREASURER SCHIRACK: COMPARATIVE REPORT OF DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCOUNT FOR MONTH OF MAY 2004. - RECEIVED & FILED

RULE 22A SUSPENDED TO ADD C#359:

359. CD & PLANNING DEPT: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO A \$125,000.00 PROFESSIONAL SERVICES CONTRACT WITH ENVIRONMENTAL PROFESSIONALS, INC. FOR PROJECT DEVELOPMENT & CONSTRUCTION MANAGEMENT SERVICES IN THE KRESGE PROJECT. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE CMTES. **Rule 22B suspended to add 1st Rdg O#10A**

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMENDING O. 55/77 TO REZONE PART OF OUTLOT 517 LOCATED @ 1131 WERTZ AVE NW FROM B-3 TO PB-4 REQUESTED BY JEFFERY DIMMERLING FOR DIMMERLING VENTURES TO PERMIT AN EXISTING COMMERCIAL BUILDING WITH LIVING QUARTERS ON 2ND FLOOR AND REAR STORAGE BUILDING; EMERGENCY **PUB HRG 7/26/04 @ 7:30 PM**
Referred to 2nd Rdg, Next Agenda
- 1ST RDG 2. AUTHORIZING MAYOR AND/OR SERVICE DIRECTOR TO ENTER INTO A ONE YEAR CONTRACT RETROACTIVE FROM 6/1/04 THROUGH 5/31/05 WITH THE CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE A \$175,000.00 GRANT FOR A COMPREHENSIVE ECONOMIC & DOWNTOWN DEVELOPMENT PROGRAM; EMERGENCY
Referred to Community & Economic Development & Finance Committees
- 1ST RDG 3. AMENDING O.122/92 AUTHORIZING MAYOR TO ENTER INTO AMENDED AGREEMENT WITH STARK COUNTY OUT OF POVERTY PARTNERSHIP, INC. TO PROVIDE AN ADDITIONAL \$163,650.00 IN FUNDING FROM 2004 HOME FUNDS; EMERGENCY
Referred to Community & Economic Development & Finance Committees
- 1ST RDG 4. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH STARK SOCIAL WORKERS NETWORK TO PROVIDE A \$50,000.00 GRANT TO PURCHASE BUILDING LOCATED @ 1221 HARRISBURG RD NE TO HOUSE & EXPAND THEIR AGENCY; EMERGENCY
Referred to Community & Economic Development & Finance Committees
- 1ST RDG 5. AUTHORIZING MAYOR TO ENTER INTO AGREEMENT WITH STATE OF OHIO, DEPT OF REHABILITATION & CORRECTIONS FOR RECEIPT OF THE \$74,261.00 FY 2005 COMMUNITY CORRECTIONS ACT GRANT FOR PERIOD COMMENCING 7/1/04 THRU 6/30/05; EMERGENCY
Referred to Marketing & Development Grant & Finance Committees
- 1ST RDG 6. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ACCEPT \$1,500.00 GRANT FROM THE STARK COUNTY FOUNDATION SUMMERTIME KIDS GRANT ON BEHALF OF YOUTH DEVELOPMENT DEPT; AMENDING O.1/2004 TO MAKE \$1,500.00 SUPPLEMENTAL APPROPRIATION FROM THE 2645 SUMMERTIME KIDS GRANT; EMERGENCY
Referred to Marketing & Development Grant & Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 7. AMENDING O. 164/2001, THE CLASSIFICATION PLAN & GENERAL SALARIES FOR ALL MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES TO EXCLUDE THE DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING MANAGEMENT FROM THE WAGE SCHEDULE; & AMENDING EXHIBIT A TO ESTABLISH SALARY RANGE OF \$66,633-\$99,000 FOR THE POSITION OF DIRECTOR; EMERGENCY
Referred to Personnel Committee
- 1ST RDG 8. APPROVING AND ACCEPTING THE REPLATTING OF OUTLOT 1116 AND PARTS OF OUTLOTS 45 & 315 LOCATED ON ALLEN AVE SE AS REQUESTED BY COOPER & ASSOCIATES FOR GROFFRE INVESTMENTS; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- *106/2004** 9. DECLARING 16 BUILDING TO BE PUBLIC NUISANCES; AUTHORIZING SAFETY DIRECTOR TO ENTER INTO CONTRACT FOR DEMOLITION OF SAID BUILDINGS (820 10th St NW, ETC.); AND AUTHORIZING CLERK OF COUNCIL TO CERTIFY COSTS OF DEMOLITION TO STARK COUNTY AUDITOR; EMERGENCY
Referred to Community & Economic Development Committee

- 1ST RDG 10. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$21,646.22 CONTRACT WITH VALLEY FORD FOR PURCHASE OF A FORD F350 CHASSIS AND CAB PURSUANT TO ORC 125.04; AUTHORIZING SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO A LEASE FOR TWO TEN-TON HEAVY DUTY DUMP TRUCKS FOR WATER DEPT; EMERGENCY
Referred to Public Property Capital Improvement & Finance Committees

RULES 22A & 22B SUSPENDED TO ADD O#10A

- 1ST RDG 10A. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO \$125,000.00 PROFESSIONAL SERVICES AGREEMENT RETROACTIVELY EFFECTIVE FROM 3/18/04 WITH ENVIRONMENTAL PROFESSIONALS, INC. FOR DEVELOPMENT & MANAGEMENT SERVICES IN CONJUNCTION WITH THE KRESGE PROJECT; EMERGENCY
Referred to Community & Economic Development and Finance Committees

*** 7:56-8:00 PM Recess for cmte meeting on O#9, which was returned to the agenda for adoption.**

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**RETAINED**

- IN CMTE** 11. APPROVING & ACCEPTING THE REPLATTING OF LOTS NOS. 5760-5770 AS REQUESTED BY ACCURATE TECHNOLOGIES FOR THE TIMKEN COMPANY; EMERGENCY

RETAINED

- IN CMTE** 12. APPROVING & ACCEPTING THE REPLATTING OF LOTS NOS. 7452-7462 AS REQUESTED BY ACCURATE TECHNOLOGIES FOR THE TIMKEN COMPANY; EMERGENCY

RULE 22A SUSPENDED TO ADD O#13&14:

- 2ND RDG 13. AMENDING PART ELEVEN, PLANNING & ZONING CODE OF CODIFIED ORDINANCES FOR PROPOSED AMENDMENTS TO ELECTRONIC SIGN PROVISIONS; EMERGENCY **PUB HRG 7/12/04 @ 7:30 PM**

- 2ND RDG 14. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH ENVIRONMENTAL DESIGN GROUP FOR SERVICES UNDER TITLE V PERMIT PROJECT FOR WPCC; AMENDING O.1/2004 TO MAKE \$66,849 SUPPLEMENTAL APPROPRIATION FROM THE 5410 SANITARY SEWER FUND; EMERGENCY

RETAINED

- IN CMTE** 15. AUTHORIZING SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR VARIOUS PROJECTS &/OR EQUIPMENT FOR PARK DEPARTMENT; EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- *105/2004** 16. AMENDING O.55/77 TO REZONE FROM B-2 TO PB-3 PART OF LOT NO. 4293 LOCATED AT 504 15TH ST NW AS REQUESTED BY NICHOLAS W. CONLEY, SR. TO PERMIT AN OFFICE BUILDING WITH STORAGE & PARKING OF TOW TRUCKS; EMERGENCY. **PUB HRG HELD 6/21/04 @ 7:30 PM**

***Adopted out of sequence**

- 107/2004** 17. AMENDING SECTION 339.08, LOADS DROPPING OR LEAKING; REMOVAL REQUIRED; TRACKING MUD, OF THE CANTON CODIFIED ORDINANCES TO INCLUDE THAT UNLOADED VEHICLES ALSO BE SUFFICIENTLY COVERED; EMERGENCY.

- 108/2004** 18. APPROVING & ACCEPTING THE REPLATTING OF LOTS NOS. 24501-24503 & 27078 LOCATED EAST OF GOBEL AVE NE ON THE SOUTH SIDE OF GEORGETOWN RD NE AS REQUESTED BY ATTORNEY JOHN WERREN FOR DOYLE SMITH; EMERGENCY.

- 109/2004** 19. AMENDING APPROPRIATION O.1/2004 BY MAKING A \$70,000.00 SUPPLEMENTAL APPROPRIATION FROM 2414 RECYCLE OHIO GRANT FUND; EMERGENCY.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING CONTINUED:

- 110/2004** 20. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$13,470.00 CHANGE ORDER W/R.G. SMITH CO., INC. TO COMPLETE THE SLUDGE REMOVAL FOR THE WATER POLLUTION CONTROL CENTER DIGESTER PROJECT; AMENDING O.1/2004 BY MAKING \$13,470.00 SUPPLEMENTAL APPROPRIATION FROM 5410 SANITARY SEWER FUND; EMERGENCY.

- 111/2004** 21. APPROVING WATER MAIN EXTENSION TO PERRY HILLS VILLAGE #3 IN PERRY TOWNSHIP; AUTHORIZING SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR SAME; EMERGENCY.

- 112/2004** 22. RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE AUTO ELECTRIC SERVICE COMPANY ANNEXATION AREA UPON ITS BEING ANNEXED TO THE CITY OF CANTON; EMERGENCY.

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, JULY 12, 2004 @ 6:00 PM, CAUCUS ROOM**

1. Community & Economic Development Committee
2. Public Property Capital Improvement Committee
3. Finance Committee
4. Marketing & Development Grant Committee
5. Public Safety & Thoroughfares Committee

6. Personnel Committee

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): (Council heard eleven public speakers)

MISCELLANEOUS BUSINESS: Mayor introduced new Manager of Civic Center; discussion re: flooding; discussion re: confiscated money from drug arrests to purchase surveillance cameras.

ADJOURNMENT TIME: 8:48 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD MONDAY, JULY 12, 2004 @ 7:30 PM
(SUMMER SCHEDULE COUNCIL MEETINGS: July 12 & 26, and August 9 & 23.)