

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

OCTOBER 25, 2004

ROLL CALL: 11 Councilmembers Present; 1 Absent (Babcock)
INVOCATION: Given by Ward 6 Councilmember David Dougherty
PLEDGE OF ALLEGIANCE: Led by President of Council President Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#13-17; Suspended Rule 22B to add Re#12; Adopted 1st Rdg O#8; Defeated 1st Rdg Re#12; Amended O#20; Postponed O#24 & 25 to 11/1/04)

PUBLIC HEARINGS:

7:30 PM ANNEXATION OF APPROXIMATELY 1.92 ACRES KNOWN AS THE AUTO ELECTRIC SERVICE COMPANY ANNEXATION AREA; ASSIGNING SAID TERRITORY TO WARD 8 & ZONING SAID TERRITORY AS B-3 GENERAL BUSINESS DISTRICT. (THE PLANNING COMMISSION RECOMMENDED APPROVAL)
(NO PUBLIC SPEAKERS) (See O.217/2004)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): (NO PUBLIC SPEAKERS)

INFORMAL RESOLUTIONS:

VICE PRESIDENT DONALD E. CASAR: EXCUSING MEMBER BABCOCK.
84. CASAR, MAJORITY LEADER: ENDORSING CITY ISSUE #14 TO CONTINUE TAXING S CORPORATIONS' DISTRIBUTIVE SHARES OF NET PROFIT, & URGING VOTERS TO VOTE YES ON THE ISSUE. - ADOPTED

COMMUNICATIONS:

- 561. CD & PLANNING DIR. POORMAN: REQUEST TO ESTABLISH A \$1 FAIR REUSE VALUE FOR A PARCEL LOCATED ON 6TH STREET NE FOR DISPOSITION TO SIDNEY & CLEASTER HAGLER. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
- 562. CHIEF OF STAFF CONCATTO: REQUESTING RECESS TO EXECUTIVE SESSION ON 10/25/04 TO DISCUSS & THEREAFTER VOTE ON THE RECOMMENDATIONS OF THE FACT FINDER DATED 10/21/04 CONCERNING SETTLEMENT OF CONTRACTUAL DISPUTES BETWEEN THE CITY & CPPA. - PERSONNEL COMMITTEE
Suspended Rule 22B to add 1st Rdg Re#12
- 563. HART, WARD 7 COUNCILMEMBER: LETTER TO THE MAYOR REQUESTING THE ESTABLISHMENT OF A RECYCLING ADVISORY COMMITTEE. - RECEIVED & FILED
- 564. PLANNING COMMISSION: RECOMMENDING APPROVAL OF THE REQUEST BY COOPER & ASSOCIATES TO REPLAT LOTS FOR CHERRY HOMES & ABCD/GATEWAY HOMES. - PUBLIC SAFETY & THOROUGHFARES CMTE
- 565. SAFETY DIRECTOR HUNT: REQUEST TO AMEND CITY CODE SEC. 353.01(C) BASED UPON A NEED TO INSTALL METERED PARKING IN OTHER PARTS OF CITY-OWNED PROPERTY. - JUDICIARY CMTE
- 566. SERVICE DIRECTOR ELLSWORTH: REQUEST TO ENTER INTO A \$77,500 CONTRACT W/CTI ENVIRONMENTAL FOR CONSTRUCTION PLANS & EASEMENT DESCRIPTIONS IN THE 49TH & GARDENDALE NE STORM SEWER PROJECT; REQUESTING A \$77,500 TRANSFER INTO THE 49TH & GARDENDALE NE STORM SEWER GP 1074 ACCOUNT. - ENVIRONMENTAL & PUBLIC UTILITIES & FINANCE CMTES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. ESTABLISHING A \$378,000 FAIR MARKET VALUE FOR LOT NO. 199 & PART OF LOT NO. 200 (THE CARNEGIE PARKING LOT) IN CONJUNCTION WITH THE FEDERAL CAMPUS PROJECT; & AUTHORIZING SALE & CONVEYANCE OF SAME TO AEP; EMERGENCY
Referred to Community & Economic Development & Finance Committees
- 1ST RDG 2. AUTHORIZING CHIEF OF STAFF TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR NUMEROUS ROOF REPLACEMENTS AT THE MEMORIAL CIVIC CENTER; AMENDING O.1/2004 FOR A \$290,000 SUPPLEMENTAL APPROPRIATION FROM THE 4541 CIVIC CENTER IMPROVEMENT FUND; EMERGENCY
Referred to Public Property Capital Improvement & Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 3. AUTHORIZING MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH HARTVILLE GROUP, INC. & HEIN CONSTRUCTION TO PROVIDE A 75% TEN YEAR REAL PROPERTY TAX EXEMPTION TO CONSTRUCT A NEW FACILITY AT 3840 GREENTREE AVE SW; & AUTHORIZING AUDITOR TO MAKE PAYMENTS TO CANTON LOCAL BOARD OF EDUCATION PURSUANT TO ORC SEC 5709.82(C) AND (D); EMERGENCY
Referred to Community & Economic Development & Finance Committees

- 1ST RDG 4. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO CONVEY 2 PARCELS OF CITY-OWNED REAL PROPERTY LOCATED ON 5TH ST SW NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO THE CANTON COMMUNITY IMPROVEMENT CORP; EMERGENCY
Referred to Community & Economic Development & Finance Committees
- 1ST RDG 5. AMENDING EXHIBIT A TO 0.164/2001, THE MANAGEMENT & NON-BARGAINING UNIT PERSONNEL ORDINANCE, TO INCREASE SALARY RANGES IN THE SERVICE DIRECTOR'S DIVISION OF PART-TIME SEASONAL EMPLOYEES & IN THE DIVISION OF YOUTH DEVELOPMENT; EMERGENCY
Referred to Personnel Committee
- 1ST RDG 6. VACATING A PORTION OF HIGH AVE NW, SOUTH OF 4TH ST NW AS REQUESTED BY CANTON CITY SCHOOLS FOR THE TIMKEN CAMPUS; EMERGENCY. **PUBLIC HRG 11/8/04 @ 7:30 PM**
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 7. AMENDING CITY CODE SEC. 539.15, PARK POLICE, OF THE GENERAL OFFENSES CODE (TO RESCIND SECTIONS (b) & (c) WHICH DEAL WITH AUTHORITY OF SAFETY DIRECTOR TO CONFER UPON PARK POLICE THE RIGHT TO CARRY A FIREARM).
Referred to Judiciary Committee
- 216/2004** 8. DECLARING 26 BUILDINGS TO BE PUBLIC NUISANCES (1315 OXFORD NW, ETC); AUTHORIZING THE SAFETY DIRECTOR TO CONTRACT FOR THEIR DEMOLITION; & AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY DEMOLITION COSTS TO THE STARK COUNTY AUDITOR; EMERGENCY.
Referred to Community & Economic Development & Finance Committees
- 1ST RDG 9. AUTHORIZING THE CITY AUDITOR TO PAY A \$16,318 MORAL OBLIGATION TO HANNON ELECTRIC COMPANY FOR REPAIR OF THE #2 RETURN ACTIVATED SLUDGE PUMP AT THE WPC; EMERGENCY.
Referred to Finance Committee
- 1ST RDG 10. AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A \$34,053.44 CONTRACT W/L3 COMMUNICATIONS SECURITY & DETECTION SYSTEMS FOR THE PURCHASE OF AN ENHANCED X-RAY SCANNER W/CONVEYOR FOR THE CANTON MUNICIPAL COURT PURSUANT TO ORC SEC. 125.04; EMERGENCY.
Referred to Public Property Capital Improvement & Finance Committees
- 1ST RDG 11. RESOLUTION ACCEPTING & AUTHORIZING AMOUNTS & RATES AS DETERMINED BY THE BUDGET COMMISSION & CERTIFYING THEM TO COUNTY AUDITOR
Referred to Finance Committee

SUSPENDED RULE 22B TO ADD RE#12:

- DEFEATED** 12. RESOLUTION APPROVING THE RECOMMENDATIONS OF THE FACT-FINDER'S REPORT OF 10/21/04 CONCERNING SETTLEMENT OF CONTRACTUAL DISPUTES BETWEEN CITY OF CANTON & CPPA
Referred to Personnel Committee

Recess for Executive Session on Re#12 7:48-8:30 pm & for Cmte Mtgs on Re#12 & O#8 8:31-8:38 pm**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****SUSPENDED RULE 22A TO ADD O#13-17:**

- 2ND RDG 13. AUTHORIZING MAYOR TO FILE A 2005 CONSOLIDATED PLAN FOR 2005 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, 2005 HOME INVESTMENT PARTNERSHIP PROGRAM & 2005 EMERGENCY SHELTER GRANT PROGRAM W/US DEPT OF HUD; RATIFYING SUBMISSION & FILING OF PLAN; AUTHORIZING MAYOR TO EXECUTE GRANT AGREEMENTS W/US DEPT OF HUD & ACCEPT FUNDING FOR THE 3 PROGRAMS; EMERGENCY. (C&E Dev)
- 2ND RDG 14. ESTABLISHING \$1 FAIR REUSE VALUE OF 2 PARCELS OF CITY-OWNED PROPERTY ON 8TH ST SE & 5TH ST SW; AUTHORIZING SALE & CONVEYANCE OF PROPERTY TO CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM FOR CONVEYANCE TO HABITAT FOR HUMANITY; EMERGENCY. (C&E Dev)
- 2ND RDG 15. ESTABLISHING FAIR MARKET VALUE OF REAL PROPERTY IN CONJUNCTION W/FEDERAL CAMPUS PROJECT; AUTHORIZING MAYOR OR CHIEF OF STAFF TO NEGOTIATE & PURCHASE PARCELS FROM AEP & MARY S. RUSS AT THE ESTABLISHED FAIR MARKET VALUES; EMERGENCY. (C&E Dev & Fin)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 16. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO FUND AGREEMENTS W/METRO & PLAIN TOWNSHIP FOR PROFESSIONAL SERVICES CONTRACTS FOR THE NEWLY ANNEXED SECTION OF RAILROAD; AND DECLARING THE SAME TO BE AN EMERGENCY. (IPS & Fin)
- 2ND RDG 17. AUTHORIZING ACQUISITION OF TAX DELINQUENT REAL PROPERTY PURSUANT TO HB 127; AND DECLARING THE SAME TO BE AN EMERGENCY. (C&E Dev)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- 217/2004** 18. AUTHORIZING CANTON TO ANNEX TERRITORY KNOWN AS THE AUTO ELECTRIC SERVICE CO. ANNEXATION AREA CONTAINING APPROX. 1.92 ACRES; ASSIGNING SAID TERRITORY TO WARD 8 & ZONING SAID TERRITORY AS B-3 (GENERAL BUSINESS DISTRICT); EMERGENCY. (Annex)

PUB HRG HELD 10/25/04 @ 7:30PM

- 218/2004** 19. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO FILE AN APPLICATION WITH THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO ASSISTANCE FUND, APPLY FOR FINANCIAL ASSISTANCE & ADMINISTER FUNDS RECEIVED, & TO ENTER INTO \$50,000.00 PROFESSIONAL SERVICES CONTRACT FOR ENVIRONMENTAL CLEANUP ASSESSMENT OF THE STEIN PROPERTY IN CANTON'S SE SECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE CLEAN OHIO ASSISTANCE FUND APPLICATION; EMERGENCY. (C&ED & Fin)

AMENDED

- 219/2004** 20. AMENDING SECTIONS 1305, 1307 & 1353 OF THE CANTON CODIFIED ORDINANCES WITH REGARD TO BUILDING DEMOLITIONS & APPEALS THEREOF; EMERGENCY. (Jud)

- 220/2004** 21. AUTHORIZING SAFETY DIRECTOR TO ACCEPT & EXECUTE THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S ASSISTANCE TO FIREFIGHTERS GRANT; AUTHORIZING AUDITOR TO DEPOSIT GRANT PROCEEDS INTO THE 2813 FIREFIGHTERS ASSISTANCE GRANT FUND; AMENDING O.1/2004 BY MAKING A \$58,485 TRANSFER FROM THE 4501 CAPITAL IMPROVEMENT FUND & A \$194,950 SUPPLEMENTAL APPROPRIATION FROM SAID 2813 FUND; EMERGENCY. (Mktg Dev Grant & Fin)

- 221/2004** 22. RE-AUTHORIZING SERVICE DIRECTOR TO COMPLETE THE CONTRACTING PROCESS W/STARK COUNTY FOR THE WPCC'S DIGESTER PROJECT AS ORIGINALLY AUTHORIZED BY O.205/2003; EMERGENCY. (I&PS&Fin)

- 222/2004** 23. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO A SUPPLEMENTAL SEWER AGREEMENT WITH STARK COUNTY, MAKE \$86,678 PAYMENT TO STARK COUNTY FOR SANITARY SEWER CONVEYANCE FOR MILLS FARM PROPERTY, & AMENDING O.1/2004 FOR A \$86,678 SUPPLEMENTAL APPROPRIATION FROM THE 5410 SANITARY SEWER FUND; EMERGENCY. (I&PS&Fin)

ORDINANCES & FORMAL RESOLUTIONS - POSTPONED MATTER:**POSTPONED TO**

- 11/1/04** 24. **(REC'D ALL 3 RDGS; POSTPONED FROM 9/13,20,27, 10/4 & 10/18)** AUTHORIZING MAYOR OR SERVICE DIRECTOR TO CONVEY CITY-OWNED PROPERTY AT 501 CHERRY AVENUE NE NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO CANTON COMMUNITY IMPROVEMENT CORPORATION; EMERGENCY.

POSTPONED TO

- 11/1/04** 25. **(REC'D ALL 3 RDGS; POSTPONED FROM 10/18)** AMENDING O.1/2004 BY MAKING VARIOUS SUPPLEMENTAL APPROPRIATIONS AND REDUCTIONS IN APPROPRIATIONS TO ADJUST CITY'S 2004 BUDGET TO MEET ONGOING OPERATIONAL NEEDS OF VARIOUS DEPARTMENTS; EMERGENCY.

ANNOUNCEMENT OF COMMITTEE MEETINGS:

Monday, November 1, 2004 @ 1:00 PM, Council Caucus Room
Judiciary Committee re: Architectural Review Board

Monday, November 1, 2004 @ 5:45 PM, Council Caucus Room

1. Community & Economic Development Committee
2. Public Property Capital Improvement Committee
3. Public Safety & Thoroughfares Committee
4. Personnel Committee
5. Judiciary Committee
6. Finance Committee

Monday, November 8, 2004 @ 11:00 AM, Council Caucus Room
Finance Committee re: Budget

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

MISCELLANEOUS BUSINESS: Discussion re: resignation of Service/Budget Director

ADJOURNMENT TIME: 9:12 PM

THE NEXT COUNCIL MEETING WILL BE HELD ON MONDAY, NOVEMBER 1ST, 2004 @ 7:30 PM