

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

DECEMBER 13, 2004

ROLL CALL: 9 Members Present, 3 Absent (Bernabei, Casar & Diamond)
INVOCATION: Given by Ward 3 Councilmember R. A. Mallonn II
PLEDGE OF ALLEGIANCE: Led by President of Council President Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22B to add 1st Rdg O#7&8; Suspended Rule 22A to add 2nd Rdg O#9-20; Adopted 2nd Rdg O#18)

PUBLIC HEARINGS: (None)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): (One speaker re: O#22)

INFORMAL RESOLUTIONS:

FIRST VICE PRESIDENT JOE CARBENIA: EXCUSING MEMBERS BERNABEI, CASAR & DIAMOND.

COMMUNICATIONS:

640. AUDITOR PEREZ: SUBMITTING HIS RESIGNATION AS CANTON CITY AUDITOR EFFECTIVE 12/6/2004 @ 11:59 PM. - RECEIVED & FILED (See C#649)
641. AUDITOR CARMAN: CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES FOR 2004 DATED 12/7/2004. - CLERK OF COUNCIL
642. EEO OFFICER GISENDANER: NOTIFICATION THAT THE EEO OFFICE HAS BEEN RESTRUCTURED & LOCATED ON CITY HALL'S 4TH FLOOR. - RECEIVED & FILED
643. FINANCE COMMITTEE OF COUNCIL: REQUEST PREPARATION OF LEGISLATION FOR YEAR 2004 \$500 LUMP SUM BONUS FOR FULL-TIME CITY MGMT/NON-BARGAINING UNIT EMPLOYEES; REINSTATEMENT OF LONGEVITY PAY BEGINNING IN YEAR 2005; & REINSTATEMENT OF STEP 4 & 5 DISCRETIONARY STEP INCREASES. - PERSONNEL & FINANCE CMTE
Suspended Rule 22B to add 1st Rdg O#7 & 8
644. HEALTH BENEFITS ADMIN BRESSON: NOVEMBER 2004 MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JANUARY-NOVEMBER 2004 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED
645. J & J VENTURES (PAUL COTTRILL): REQUEST TO REZONE 3001 CLEVELAND AVENUE NORTH FROM B-3 TO PB-4 FOR AN ELECTRONIC MESSAGE SIGN AT PAPA JOHN'S RESTAURANT. - PLANNING COMMISSION
646. LIQUOR CONTROL DIVISION (OHIO): STANLEY M. SENFTEN, DBA CREW NIGHT CLUB, HAS REQUESTED A TRFO D5 LIQUOR PERMIT AT 304 CHERRY AVENUE NE. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
647. MAYOR CREIGHTON: REQUEST COUNCIL CONFIRMATION OF JACK BOLENDER TO SERVE ON THE CANTON INVESTMENT BOARD EFFECTIVE 1/1/05-12/31/06. - PERSONNEL CMTE
648. MAYOR CREIGHTON: LETTER TO CONGRESSMAN RALPH REGULA REQUESTING HIS REVIEW OF OPTIONS OR ALTERNATIVES RE: JMW RAIL TRANSFER STATION'S PROPOSED SOLID WASTE EXPANSION. - RECEIVED & FILED
649. MAYOR CREIGHTON: APPOINTING DEPUTY AUDITOR III JAMES CARMAN TO SERVE AS ACTING CITY AUDITOR EFFECTIVE 12/7/04 DUE TO THE RESIGNATION OF AUDITOR KIM R. PEREZ. - RECEIVED & FILED (See C#640)
650. PLANNING DIRECTOR POORMAN: PLANNING COMMISSION RECOMMENDS APPROVAL OF THE REQUEST BY CESO ENGINEERING TO REPLAT OUTLOTS 1112 & 1113 INTO 2 RECONFIGURED OUTLOTS & DEDICATE ADDITIONAL RIGHT OF WAY TO SKOTNICKY COURT SW TO ACCOMMODATE WALMART'S FUTURE DEVELOPMENT. - PUBLIC SAFETY & THOROUGHFARES CMTE

COMMUNICATIONS CONTINUED:

651. STARK COUNTY BD OF ELECTIONS: CERTIFICATE OF RESULT OF ELECTION HELD 11/2/04 ON CITY OF CANTON S CORPORATION TAX ISSUE. - RECEIVED & FILED

652. TREASURER SCHIRACK: COMPARATIVE REPORT OF INCOME TAX CASH RECEIPTS FILED AS OF 11/30/04. - RECEIVED & FILED
653. VIENNA WOODS PHASE II, LP: REQUEST TO REZONE NE CORNER OF DANUBE WAY & VIENNA ROAD SW FROM R-1A TO PB-3 FOR A MAINTENANCE OFFICE FOR THE HOME ASSOCIATION, STORAGE, & GENERAL MAINTENANCE EQUIPMENT. - PLANNING COMMISSION

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMENDING CITY CODE TITLE ONE OF PART ELEVEN, PLANNING & ZONING CODE BY THE ADDITION OF CHAPTER 1107, ARCHITECTURAL REVIEW BOARD. **PUB HRG 1/3/2005 @ 7:30 PM**
Referred to Judiciary Committee
- 1ST RDG 2. AMENDING CITY CODE PART ELEVEN, PLANNING & ZONING CODE, FOR NUMEROUS CHANGES TO OFFICIAL ZONING TEXT. **PUB HRG 1/3/2005 @ 7:31 PM**
Referred to Judiciary Committee
- 1ST RDG 3. AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH NORTHMARK PROPERTIES INC TO PROVIDE REAL PROPERTY TAX EXEMPTIONS TO RENOVATE THE BUILDING AT 213 MARKET AVENUE NORTH IN THE DOWNTOWN CANTON COMMUNITY REINVESTMENT AREA; AUTHORIZING THE GRANTING OF 10-YEAR REAL PROPERTY TAX EXEMPTIONS; EMERGENCY
Referred to Community & Economic Development & Finance Committees
- 1ST RDG 4. ADOPTING APPROPRIATIONS FOR THE OPERATING & CAPITAL EXPENDITURES OF THE CITY OF CANTON FOR FISCAL YEAR 2005; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. RESOLUTION OBJECTING TO THE RENEWAL OF 3 LIQUOR PERMITS IN CANTON: GASCO @ 3325 HARMONT, HALL OF FAME MARKET @ 704 SHERRICK ROAD SE, & CHERRY MARKET @ 1494 CHERRY AVENUE SE; EMERGENCY
Referred to Intergovernmental & Public Service Committee
- 1ST RDG 6. AUTHORIZING THE CITY AUDITOR TO PAY A \$45,000 MORAL OBLIGATION TO 3-D SERVICE FOR EMERGENCY REPAIRS TO 300 HP SYNCHRONOUS MOTOR FOR #1 HIGH SERVICE PUMP AT NE WATER TREATMENT PLANT; EMERGENCY
Referred to Environmental & Public Utilities Committee

SUSPENDED RULE 22B TO ADD O#7 & 8: (SEE C#643)

- 1ST RDG 7. AUTHORIZING \$500 LUMP SUM BONUSES FOR FULL-TIME MANAGEMENT/NON-BARGAINING UNIT PERSONNEL & SALARIED PERSONNEL IN THE LAW DEPARTMENT (EXCLUDING ELECTED OFFICIALS); EMERGENCY
Referred to Personnel & Finance Committees
- 1ST RDG 8. AMENDING CITY CODE SECTION 151.26, LONGEVITY; REINSTATING DISCRETIONARY STEP INCREASES; SUSPENDING WAGE INCREASES BASED ON THE CPI-U; EMERGENCY
Referred to Personnel & Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#9-20:**

- 2ND RDG 9. AMENDING O.55/77 FOR NUMEROUS CHANGES TO OFFICIAL ZONING MAP **PUB HRG 12/20/2004 @ 7:30 PM**
- 2ND RDG 10. AUTHORIZING CANTON TO ANNEX TERRITORY KNOWN AS GROFFRE/RICHMOND ANNEXATION AREA CONTAINING 5.578 ACRES; ASSIGNING SAID TERRITORY TO WARD 6 & ZONING SAID TERRITORY AS R-1A (SINGLE FAMILY RESIDENTIAL); EMERGENCY. **PUB HRG 12/20/2004 @ 7:31 PM**
- 2ND RDG 11. AUTHORIZING CANTON TO ANNEX TERRITORY KNOWN AS CITY OF CANTON/RAILROAD ANNEXATION AREA CONTAINING APPROXIMATELY 15.013 ACRES; ASSIGNING SAID TERRITORY TO WARD 8 & ZONING SAID TERRITORY AS OS (OPEN SPACE); EMERGENCY. **PUB HRG 12/20/2004 @ 7:32 PM**

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING - CONTINUED:

- 2ND RDG 12. AUTHORIZING MAYOR TO ACCEPT GRANT FROM THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES FOR THE COMMUNITY MEDIATION CENTER OF STARK COUNTY; AMENDING APPROPRIATION O.1/2004 BY MAKING A \$37,090 SUPPLEMENTAL APPROPRIATION FROM THE 2427 BYRNE MEMORIAL MEDIATION FUND; EMERGENCY.
- 2ND RDG 13. AMENDING EXHIBIT A TO O.164/2001, THE CLASSIFICATION PLAN AND GENERAL SALARIES FOR ALL MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES, BY ADDING THE CLASSIFICATION RECORD ROOM SUPERVISOR, GRADE 8S TO POSITION GROUP 10PO-POLICE & DELETING POSITION GROUP 50WP-DIVISION OF WORD PROCESSING WHEN VACATED BY CURRENT EMPLOYEE; EMERGENCY.

- 2ND RDG 14. AMENDING EXHIBIT A TO O.40/2000, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL, BY DELETING POSITION GROUP 50WP-DIVISION OF WORD PROCESSING WHEN VACATED BY CURRENT EMPLOYEES; EMERGENCY.
- 2ND RDG 15. APPROVING AND ACCEPTING THE REPLATTING OF PARTS OF OUTLOTS 1009 & 1015 AS REQUESTED BY T&W INVESTMENTS, LLC; EMERGENCY.
- 2ND RDG 16. AUTHORIZING SAFETY DIRECTOR TO ENTER INTO AGREEMENTS WITH VARIOUS LOCAL GOVERNMENT ENTITIES FOR SECURING & TRANSPORTING PRISONERS TO CANTON MUNICIPAL COURT; EMERGENCY.
- 2ND RDG 17. AUTHORIZING SERVICE DIRECTOR TO EXECUTE & DELIVER AN EASEMENT TO SCF DEVELOPMENT, LTD TO PERMIT CONSTRUCTION OF TWO LIGHT WELLS & A PLANTER IN THE RIGHT OF WAY AT THE NE CORNER OF MARKET AVE N & 4TH ST NE ASSOCIATED WITH RENOVATION OF ST. EDWARD HOTEL BLDG; EMERGENCY.
- 249/2004 18. AMENDING O.142/2004 TO CHANGE CONTRACT AMOUNT WITH SIMPLEX GRINNELL LP FROM \$100,000 TO \$102,356.18 FOR PURCHASE & INSTALLATION OF SECURITY EQUIPMENT FOR WATER TREATMENT PLANTS; EMERGENCY.
- 2ND RDG 19. AUTHORIZING MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH THE BOLER COMPANY DBA HENDRICKSON TRAILER SUSPENSION SYSTEMS TO PROVIDE REAL & PERSONAL PROPERTY TAX EXEMPTION TO CONSTRUCT A NEW FACILITY AT 2070 INDUSTRIAL PLACE SE; AUTHORIZING GRANTING OF 75% TEN YEAR REAL & PERSONAL PROPERTY TAX EXEMPTIONS; AUTHORIZING AUDITOR TO MAKE PAYMENTS TO CANTON LOCAL BOARD OF EDUCATION PURSUANT TO ORC SEC 5709.82 (C) AND (D); AND DECLARING THE SAME TO BE AN EMERGENCY.
- 2ND RDG 20. AMENDING TITLE FIVE OF PART ONE, ADMINISTRATIVE CODE, OF THE CANTON CODIFIED ORDINANCES BY THE ADDITION OF CHAPTER 146, HOUSING ADVISORY BOARD; EMERGENCY.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- 250/2004 21. AMENDING O.1/2004 TO MAKE \$3,000 SUPPLEMENTAL APPROPRIATION FROM THE 2425 LAW DEPARTMENT DISPUTE RESOLUTION FUND; AND DECLARING THE SAME TO BE AN EMERGENCY.
- 251/2004 22. AMENDING O.7/2003 TO REDUCE NUMBER OF AUTHORIZED EMPLOYEES IN THE CLASSIFICATION LIEUTENANT FROM 18 TO 17 PURSUANT TO COLLECTIVE BARGAINING AGREEMENT BETWEEN FOP & CITY; EMERGENCY.

ANNOUNCEMENT OF COMMITTEE MEETINGS: (Monday, December 20, 2004 @ 5:45PM, Council Caucus Room)

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| 1) Community & Economic Development Committee | 4) Finance Committee |
| 2) Environmental & Public Utilities Committee | 5) Judiciary Committee |
| 3) Personnel Committee | 6) Intergovernmental & Public Service |

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): (No Public Speakers)

MISCELLANEOUS BUSINESS: (None)

ADJOURNMENT TIME: 7:48 P.M.

THE NEXT COUNCIL MEETING WILL BE HELD ON MONDAY, DECEMBER 20, 2004 @ 7:30 PM