

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

MARCH 14, 2005

ROLL CALL: 11 present, 1 absent (Carbenia)  
INVOCATION: Given by Ward 2 Councilmember Thomas West  
PLEDGE OF ALLEGIANCE: Led by President of Council Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#4-13; Suspended Rule 24B to add Re#31-34&37; Re#31&32 Postponed to 3/21/05; Re#35 Retained in cmte; 1<sup>st</sup> Rdg O#2 Adopted; 2<sup>nd</sup> Rdg O#6 Adopted; 3<sup>rd</sup> Rdg O#14&15 Postponed to 3/21/05)

PUBLIC HEARINGS: (None)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): (Council heard 10 speakers re: O#14 &15)

INFORMAL RESOLUTIONS:

VICE PRESIDENT DONALD E. CASAR: EXCUSING MEMBER CARBENIA.

30. DOUGHERTY, WARD 6 CNCLMBR: CITY COUNCIL SUPPORTS THE PROPOSED STARK COUNTY OUT OF POVERTY PARTNERSHIP'S WILLOW PARK SINGLE FAMILY HOMES PROJECT LOCATED EAST OF 30<sup>TH</sup> STREET NE IN WARD 6. - ADOPTED

**SUSPENDED RULE 24B TO ADD #31-34&37:**

31. ENVIRON. & PUBLIC UTILITIES CMTE: RECOMMENDING COUNCIL TAKE NO ACTION & ALLOW THE AUTOMATIC SEWER RATE INCREASE OF 3.3% TO TAKE EFFECT ON 7/1/2005. - **POSTPONED TO 3/21/05**

32. ENVIRON. & PUBLIC UTILITIES CMTE: RECOMMENDING AN ORDINANCE BE ADOPTED WHICH WOULD WAIVE THE AUTOMATIC SANITATION RATE INCREASE OF 3.3% WHICH WOULD TAKE EFFECT 7/1/2005. - **POSTPONED TO 3/21/05** (See C#167)

33. PERSONNEL COMMITTEE: AUTHORIZING PLACEMENT OF CURTIS BUNGARD IN STEP 3 OF GRADE 2 @ A \$66,633 ANNUAL SALARY RETROACTIVE TO 2/1/05 DURING HIS TEMPORARY APPOINTMENT AS CIVIL ENGINEER - ADOPTED

34. PERSONNEL COMMITTEE: APPROVING MAYOR'S REAPPOINTMENT OF DR. FREDERICK WHITTIER TO THE CANTON CITY HEALTH BOARD EFFECTIVE 4/1/05 THRU 3/31/10. - ADOPTED

35. PERSONNEL COMMITTEE: APPROVING MAYOR'S APPOINTMENT OF LISA SIMS TO THE CANTON CONSTRUCTION BOARD FILLING THE UNEXPIRED TERM OF MIKE KING THRU 12/31/06. - **RETAINED IN CMTE** (See C#158)

36. ZACHARY, WARD 4 CNCLMBR: CITY COUNCIL SUPPORTS THE PROPOSED CANTON SENIOR APARTMENTS I, LLC DEVELOPMENT OF RENAISSANCE VILLAGE LOCATED WEST OF 25<sup>TH</sup> & DONALD AVE SW IN WARD 4. - ADOPTED

37. HART, WARD 7 CNCLMBR: COUNCIL SUPPORTS CURBSIDE RECYCLING FUNDED THROUGH THE SOLID WASTE MANAGEMENT DISTRICT. - ADOPTED

COMMUNICATIONS:

153. CD & PLANNING DIR. POORMAN: REQUEST LEGISLATION AUTHORIZING MAYOR TO ENTER INTO CONTRACT WITH CANTON COMMUNITY IMPROVEMENT CORP TO PROVIDE \$900,000 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE CMTE

154. CD & PLANNING DIR. POORMAN: REQUEST TO SELL 11 PARCELS OF LAND AT FAIR REUSE VALUE IN ACCORDANCE WITH 0.190/97 LAND DISPOSITION PROGRAM TO HABITAT FOR HUMANITY OF GREATER CANTON, INC. TO CONSTRUCT 5 NEW HOMES FOR LOW & MODERATE INCOME FAMILIES. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE

155. HEALTH BENEFITS ADM. BRESSON: FEBRUARY 2005 MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS, & JANUARY-FEBRUARY 2005 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED

COMMUNICATIONS - CONTINUED:

156. LIQUOR CONTROL DIVISION (OHIO): REQUEST BY SPEE D FOODS, INC., dba SPEE D FOODS #26 @ 1735 CLEVELAND AVE NW FOR A NEW C1,C2,D6 LIQUOR PERMIT. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
157. MARTIN LUTHER LUTHERAN CH: SUPPORT FOR THE DEVELOPMENT OF HOUSING IN THE SUMMIT SCHOOL AREA. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
158. MAYOR CREIGHTON: REQUESTING APPROVAL OF APPOINTMENT OF LISA SIMS TO THE CANTON CONSTRUCTION BOARD TO FILL THE UNEXPIRED TERM OF MIKE KING EFFECTIVE THRU 12/31/06. - PERSONNEL CMTE (See Re#35)
159. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY RAYMON HUMPRIES TO VACATE PORTIONS OF WOODROW CT NE, E. OF YOUNG AVE NE, N. OF 2<sup>ND</sup> STR NE - PUBLIC SAFETY & THOROUGHFARES CMTE
160. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY RALPH COWAN TO REZONE 1934 NAVARRE RD SW, LOTS 5928-5932, 40138-40140, 4418& 4419 FROM B3 TO PI-1 PLANNED LIGHT INDUSTRIAL TO PERMIT A WHOLESALE BAKERY & RETAIN SALES. - JUDICIARY **PUB HRG 4/25/05, 7:30PM**
161. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY HABITAT FOR HUMANITY TO REPLAT PARTS OF LOTS 1664,1665&1666 ON 6<sup>TH</sup> ST NE W. OF SPRING AVE NE TO BUILD SINGLE FAMILY HOMES. - PUBLIC SAFETY & THOROUGHFARES CMTE
162. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY HABITAT FOR HUMANITY TO REPLAT PARTS OF LOTS 1043&1044 ON 2<sup>ND</sup> ST NE W. OF JOBE CT TO BUILD SINGLE FAMILY HOMES. - PUBLIC SAFETY & THOROUGHFARES CMTE
163. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY SCOTT BINKLEY TO REPLAT LOTS 35342, 35340 & 35339 INTO 2 LOTS ON THE E. SIDE OF FRAZER AVE NW IN THE 3700 BLOCK. - PUBLIC SAFETY & THOROUGHFARES CMTE
164. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY SHERRICK ROAD CORRIDOR LLP TO REPLAT OUTLOT 304 IN THE 1000 BLOCK OF SHERRICK RD SE. - PUBLIC SAFETY & THOROUGHFARES CMTE
165. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY MORRIS BROTHERS INC. TO VACATE ESTEP PL SW BETWEEN CLEVELAND AVE S & DEWALT AVE. - PUBLIC SAFETY & THOROUGHFARES CMTE
166. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY CITY OF CANTON TO REZONE NW CORNER OF 9<sup>TH</sup> & MCKINLEY SW FROM R-1a TO B-3; OL #869 ON 55<sup>TH</sup> ST NE FROM R-1 TO CS; OUTLOTS 970, 971 & PARTS OF LOTS 41649&41653 FROM P-R4 TO OS; LOTS 751, 39089, 40791-40794, 2238-2245, 2630-2637, OUTLOT 129, 2625&2624 FROM B-3 TO B-5 **PUB HRG 4/25/05 7:31 PM**
167. SERVICE DIRECTOR CONCATTO: REQUEST TO WAIVE ANNUAL INCREASE IN SANITATION RATES AS DETERMINED BY THE 2004 CPI, PURSUANT TO CITY CODE SECTION 975.08(a)(4). - ENV & PUB UTIL CMTE (See Re#32)
168. SERVICE DIRECTOR CONCATTO: REQUEST FOR SERVICE & SAFETY DIRECTORS TO EXECUTE LICENSE AGREEMENT FOR ATC ASSOCIATES ON BEHALF OF CANTON AUTO REPAIR & TOWING TO INSTALL PRIVATE MONITORING WELLS IN CLEVELAND AVE NW & 37<sup>TH</sup> ST NW. - ENVIRONMENTAL & PUBLIC UTILITIES CMTE
169. TREASURER SCHIRACK: REPORT OF BANK RECONCILIATIONS & OUTSTANDING INVESTMENTS AS OF 2/28/05. - RECEIVED & FILED
170. WEST, WARD 2 CNCLMBR: REQUEST LEGISLATION TO PROCEED WITH SALE OF UNUSED CITY PROPERTY TO FOREST CITY RESIDENTIAL MGT, INC. TO BE USED AS HANDICAPPED PARKING SPACES FOR CANTON TOWERS FOR THE SUM OF \$2,000.00. - PUBLIC PROPERTY CAPITAL IMPROVEMENT CMTE
171. WILLIAMS, WATER DEPT SUPT.: SUBMITTING 2004 ANNUAL REPORT FOR CANTON WATER DEPT. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1<sup>ST</sup> RDG 1. VACATING SECOND STREET NW CUT-THRU WEST OF FULTON NW AND NORTH OF WEST TUSCARAWAS STREET AS REQUESTED BY THE CITY SERVICE DIRECTOR FOR THE TIMKEN CAMPUS PRJ.; EMERGENCY.  
Referred to Public Safety & Thoroughfares Cmte **PUB HRG 3/28/05 @ 7:30 PM**

**45/2005\*** 2. DECLARING 21 BUILDINGS TO BE PUBLIC NUISANCES; AUTHORIZING SAFETY DIRECTOR TO ENTER INTO CONTRACT FOR DEMOLITION OF SAID BUILDINGS (922 3<sup>RD</sup> St NW, ETC.); AND AUTHORIZING CLERK OF COUNCIL TO CERTIFY COSTS OF DEMOLITION TO STARK COUNTY AUDITOR; EMERGENCY  
Referred to Community & Economic Development and Finance Cmtes

1<sup>ST</sup> RDG 3. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$44,637 ONE-YEAR LEASE AGREEMENT WITH THE GREATER AKRON ATHLETIC CLUB FOR LEASE OF THURMAN MUNSON STADIUM; EMERGENCY  
Referred to Parks & Recreation and Public Property Capital Improvement Cmtes

**\*8:45-8:49PM RECESS FOR CMTE MTG ON O#2, WHICH WAS RETURNED TO THE AGENDA FOR ADOPTION.**

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

**SUSPENDED RULE 22A TO ADD O#4-13:**

2<sup>nd</sup> RDG 4. AUTHORIZING MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH PRECISION POWDER COATINGS, INC., dba PPC, INC. TO PROVIDE REAL & PERSONAL PROPERTY TAX EXEMPTIONS; AUTHORIZING AUDITOR TO MAKE PAYMENT TO CANTON LOCAL BOARD OF EDUCATION AS REQUIRED PURSUANT TO ORC SEC. 5709.82 © & (D); EMERGENCY. (C&E Dev & Fin)

2<sup>nd</sup> RDG 5. AUTHORIZING CITY OF CANTON TO ACCEPT DONATION OF LOTS NOS. 90 & 41877 AND PARTS OF LOTS NOS. 89 & 41876 LOCATED ON TUSCARAWAS ST E; EMERGENCY. (C&E Dev & Fin)

**46/2005** 6. ESTABLISHING THE FAIR REUSE OR FAIR MARKET VALUE OF 17 PARCELS OF CITY OWNED PROPERTY, & AUTHORIZING THE SALE & CONVEYANCE OF SAME TO ABCD PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY (Lot #14663, 7<sup>th</sup> St NE). (C&E Dev)

2<sup>nd</sup> RDG 7. AMENDING ORDINANCE O.164/2001, THE CLASSIFICATION PLAN & GENERAL SALARIES FOR ALL MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES, BY EXCLUDING CERTAIN POSITIONS FROM THE WAGE SCHEDULE; & AMENDING EXHIBIT A TO O.164/2001 WITH REGARD TO POSITION GROUP 10TE, 20CE, & 50IS; EMERGENCY (RE: REORGANIZATION OF TRAFFIC ENGINEERING & CIVIL ENGINEERING DEPARTMENTS TO BECOME CITY ENGINEERING DIVISION). (Personnel)

2<sup>nd</sup> RDG 8. AUTHORIZING AMENDMENT TO ARTICLE 59, WAGE SCHEDULES, OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF CANTON & LOCAL 3449 & OHIO COUNCIL 8 AFSCME TO INCREASE THE WAGE SCHEDULE FOR PLANNING TECHNICIAN RETROACTIVE TO 1/1/05; EMERGENCY. (Personnel)

2<sup>nd</sup> RDG 9. AUTHORIZING MAYOR TO CO-APPLY WITH THE STARK COUNTY SHERIFF FOR A BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT, TO ENTER INTO AGREEMENT TO ACCEPT & ADMINISTER SAID GRANT, & TO EXECUTE A LETTER OF UNDERSTANDING WITH STARK COUNTY CONCERNING REALLOCATION OF PROCEEDS OF SAID GRANT; AMENDING APPROPRIATION O. 253/2004 BY MAKING \$73,532 SUPPLEMENTAL APPROPRIATION FROM THE 2773 BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUND; EMERGENCY. (Fin)

2<sup>nd</sup> RDG 10. AUTHORIZING SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR PURCHASE OF TAPPING & LINE STOPPING SYSTEM & A VALVE INSERTION SYSTEM FOR THE WATER DEPT; AMENDING APPROPRIATION O. 253/2004 BY MAKING AN \$80,000 SUPPLEMENTAL APPROPRIATION FROM THE 5201 WATER WORKS FUND; EMERGENCY. (E&PU & Fin)

2<sup>nd</sup> RDG 11. AUTHORIZING CANTON TO ANNEX TERRITORY KNOWN AS THE PLEASANT VIEW/EASTRIDGE ANNEXATION AREA CONTAINING APPROX. 42.3072 ACRES; ASSIGNING SAID TERRITORY TO WARD 6 & ZONING SAID TERRITORY AS B-3 (GENERAL BUSINESS DISTRICT); EMERGENCY. (Annexn)

**PUB HRG 3/21/05 @ 7:30PM**

2<sup>nd</sup> RDG 12. AMENDING ZONING ORDINANCE 55/77 TO REZONE PART OF OUTLOT NO. 732, LOCATED AT 515 25<sup>TH</sup> STREET NW AS REQUESTED BY MALONE COLLEGE; EMERGENCY.(Jud)

**PUB HRG 3/21/05 @ 7:31PM**

2<sup>nd</sup> RDG 13. AMENDING ZONING ORDINANCE 55/77 TO REZONE LOT NO. 42388, LOCATED ON DANUBE WAY SW AS REQUESTED BY VIENNA WOODS PHASE II, L.P.; EMERGENCY.(Jud)

**PUB HRG 3/21/05 @ 7:32PM**

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:**POSTPONED TO**

**3/21/05** 14. AUTHORIZING MAYOR TO REIMBURSE \$350,000.00 TO THE URBAN HOUSING FOUNDATION FOR MONEYS EXPENDED TO PURCHASE PROPERTY LOCATED @ 808 MONUMENT RD NW & REQUESTING A \$350,000.00 SUPPLEMENTAL APPROPRIATION FROM THE 6010 WORKER'S COMPENSATION FUND FOR SAME; EMERGENCY.

**POSTPONED TO**

**3/21/05** 15. AUTHORIZING THE MAYOR TO REIMBURSE \$1,066,000 TO THE URBAN HOUSING FOUNDATION FOR MONEYS EXPENDED TO PURCHASE 18 LOTS LOCATED NEAR SUMMIT SCHOOL; & AMENDING O.253/2004 FOR A \$1,066,000 SUPPLEMENTAL APPROPRIATION FROM THE 6010 WORKER'S COMPENSATION FUND & \$1,066,000 FROM THE 4501 CAPITAL IMPROVEMENT FUND; EMERGENCY.

**47/2005** 16. NAMING UNNAMED N/S ALLEY BETWEEN 14<sup>TH</sup> & 15<sup>TH</sup> STREETS NW IN THE CITY OF CANTON TO "H. CARSON COURT."

**48/2005** 17. APPROVING AND ACCEPTING THE REPLATTING OF LOTS #30910, 30909 & PART OF LOT #30908 AS REQUESTED BY HFSEH LIMITED PARTNERSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY.

**49/2005** 18. AUTHORIZING THE CITY AUDITOR TO PAY AN \$8,134 MORAL OBLIGATION TO 3-D SERVICE FOR EMERGENCY REPAIRS TO THE 300 HORSEPOWER SYNCHRONOUS MOTOR FOR #1 HIGH SERVICE PUMP AT NE WATER TREATMENT PLANT; AND DECLARING THE SAME TO BE AN EMERGENCY.

ANNOUNCEMENT OF COMMITTEE MEETINGS:

Monday, March 21, 2005 @ 5:30 p.m.

- 1) Presentation by CD Director Poorman re: tax abatements

Monday, March 21, 2005 @ 6:15 p.m.

- 1) Public Safety & Thoroughfares Committee
- 2) Park & Recreation Committee
- 3) Public Property Capital Improvement Committee

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): (Council heard 1 speaker re: NAVE Meet The Candidates Night on April 27, 2005 from 6-8PM)

MISCELLANEOUS BUSINESS: (Kelly Zachary re: 4/12/05 Building Healthy Communities @ St. Anthony's Church, 6PM; Jim Griffin re: St. John's 12:15 "blue" mass 3/17/05 in recognition of safety forces; Mayor re: 4/5/05 Clean Up Canton; Thomas West re: 4/1/05 Minority Health Month Kick Off @ Old Timers; Richard Hart re: 4/12-14/05 State-wide Conference for preservation @ Marriott McKinley; Don Casar re: thank 6 mbrs to voted to postpone O#14&15.)

ADJOURNMENT TIME: 9:10 p.m.

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 21, 2005 @ 7:30PM**