

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

APRIL 11, 2005

ROLL CALL: All 12 Councilmembers Present

INVOCATION: Given by Ward 6 Councilmember David Dougherty

PLEDGE OF ALLEGIANCE: Led by President of Council Ray Denczak

MOMENT OF SILENCE FOR CHRIS DOUGHERTY, BROTHER OF COUNCILMEMBER DAVID DOUGHERTY

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 24B to Add Re#51; Amended Re#51; Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#7)

PUBLIC HEARINGS: NONE

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): NONE

INFORMAL RESOLUTIONS:

VICE PRESIDENT DONALD E. CASAR: EXCUSING MEMBERS (Not necessary, all Councilmembers present)

43. COUNCIL-AS-A-WHOLE: COMMENDING MCKINLEY SENIOR HIGH SCHOOL BASKETBALL TEAM AND HEAD COACH DAVE HOOVER FOR WINNING THE DIVISION I STATE CHAMPIONSHIP TITLE. - ADOPTED
44. HAWK, WARD 1 MEMBER: COMMENDING *STEVEN RUDICK* FOR BEING HONORED WITH THE CANTON JEWISH COMMUNITY CENTER'S *GARY D. SHIFMAN AWARD*. - ADOPTED
45. HAWK, WARD 1 MEMBER: COMMENDING *MEGAN SMUCKLER* FOR BEING HONORED WITH THE CANTON JEWISH COMMUNITY CENTER'S *GARY D. SHIFMAN AWARD*. - ADOPTED
46. HAWK, WARD 1 MEMBER: COMMENDING *ARTHUR ROSENSTOCK* FOR BEING HONORED WITH THE CANTON JEWISH COMMUNITY CENTER'S *DR. H.L. GINSBURG AWARD*. - ADOPTED
47. HAWK, WARD 1 MEMBER: COMMENDING *KENT MCCLELLAND* FOR BEING HONORED WITH THE CANTON JEWISH COMMUNITY CENTER'S *DR. H.L. GINSBURG AWARD*. - ADOPTED
48. HAWK, WARD 1 MEMBER: COMMENDING *GREG LUNTZ* FOR BEING HONORED WITH THE CANTON JEWISH COMMUNITY CENTER'S *SANFORD & JACOB FURMAN AWARD*. - ADOPTED
49. HAWK, WARD 1 MEMBER: COMMENDING *TODD PALLOTTA* FOR BEING HONORED WITH THE CANTON JEWISH COMMUNITY CENTER'S *A.L. HELLING AWARD*. - ADOPTED
50. HAWK, WARD 1 MEMBER: COMMENDING *SHIRLEY LOCKSHIN* FOR BEING HONORED WITH THE CANTON JEWISH COMMUNITY CENTER'S *SANFORD & JACOB FURMAN AWARD*. - ADOPTED

**SUSPENDED RULE 24B TO ADD RE#51:**

51. PERSONNEL COMMITTEE: AUTHORIZING CITY ENGINEER POSITION BE OFFERED TO DANIEL MOEGLIN AT \$89,500 ANNUAL SALARY & CARRYOVER OF **80.00** SICK LEAVE HOURS. - ADOPTED AS AMENDED

COMMUNICATIONS:

202. LIQUOR CONTROL DIVISION (OHIO): REQUEST TO TRANSFER OWNERSHIP OF D2, D2X, D3, D3A LIQUOR PERMIT FROM MCKINLEY RENTAL TO JW FOOD CONCEPTS @ 800 MARKET AVE N. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
203. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF COUNCIL'S WITHDRAWAL OF OBJECTION TO TRANSFER OF C1-2 LIQUOR PERMIT REQUESTED BY BAIT NABALAH, dba BEST FOR LESS @ 1100 12<sup>TH</sup> ST NW. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
204. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF COUNCIL'S WITHDRAWAL OF OBJECTION TO NEW C1-2 LIQUOR PERMIT REQUESTED BY TAP INVESTMENTS, dba AP @ 903 12<sup>TH</sup> ST NE. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
205. LIQUOR CONTROL DIVISION (OHIO): REQUEST BY FRATERNAL ORDER ORIOLES NEST 315 CANTON, 3151 MAHONING RD NE, FOR NEW D4 LIQUOR PERMIT. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

COMMUNICATIONS - CONTINUED:

206. SAFETY DIRECTOR HUNT: REQUEST TO ENTER INTO ANOTHER 5-YR RECIPROCAL SERVICE AGREEMENT W/STARK STATE COLLEGE OF TECHNOLOGY GRANTING THEM EXCLUSIVE, CONDITIONAL USE OF A CITY-OWNED 1982 TOWER TRUCK FOR FIRE-FIGHTING TRAINING PURPOSES. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

207. SAFETY DIRECTOR HUNT: REQUEST TO PUT UP FOR AUCTION THE FORMER CANTON FIRE STATION #2 LOCATED @ 2000 3<sup>RD</sup> STREET NE NO LONGER NEEDED FOR MUNICIPAL PURPOSES. - PUBLIC PROPERTY CAPITAL IMPROV. CMTE
208. SAFETY DIRECTOR HUNT: REQUEST FOR MAYOR/& OR SAFETY DIRECTOR TO ENTER INTO WORK AGREEMENTS FOR THE MARKET AVENUE TRAFFIC SIGNAL SYSTEM IMPROVEMENT PROJECT; & REQUEST AUTHORIZATION FOR MINISTERIAL CHANGES TO EXHIBIT A. - PUBLIC SAFETY & THOROUGHFARES CMTE
209. SAFETY DIRECTOR HUNT: REQUEST FOR MAYOR TO ENTER INTO CONTRACT W/ODOT TO UPGRADE TRAFFIC SIGNAL EQUIPMENT @ 12 LOCATIONS IN THE FULTON DRIVE TRAFFIC SIGNAL SYSTEM; REQUESTING \$23,600 SUPPLEMENTAL APPROPRIATION FROM THE 4501 CAPITAL IMPROVEMENT FUND FOR SAME - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE CMTE
210. SERVICE DIRECTOR CONCATTO: REQUEST TO PLACE LIENS ON PROPERTY OWNERS REAL ESTATE TAXES FOR MAINTENANCE TO THEIR PROPERTIES ON BEHALF OF THE CITY OF CANTON STREET DEPT. - INTERGOV. & PUBLIC SERVICE CMTE
211. SERVICE DIRECTOR CONCATTO: REQUEST TO MAKE \$80,552.83 MORAL OBLIGATION PAYMENT TO VARIOUS SUPPLIERS FOR MAINTENANCE ITEMS, CONCESSION SUPPLIES, CAPITAL IMPROVEMENTS & REPAIRS AT THE CIVIC CENTER. - FINANCE CMTE
212. SERVICE DIRECTOR CONCATTO: REQUEST \$32,166.44 SUPPLEMENTAL APPROPRIATION FROM LAWR--CHESTER PHASE II WATER MAIN EXTENSION FUND TO RE-PAY OWDA SEMI-ANNUAL PAYMENT DUE JULY 1 & JANUARY 1. - ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE CMTE
213. SLIMAN, SAM, AGT FOR PETITIONER: COPY OF ANNEXATION PETITION DOCUMENTS THAT HAVE BEEN FILED WITH STARK COUNTY COMMISSIONERS IN THE CENTRAL ALLIED/HARMONT ANNEXATION AREA. - RECEIVED & FILED
214. TAX INCENTIVE REVIEW COUNCIL: SUBMITTING MINUTES OF 3/10/05 TAX INCENTIVE REVIEW COUNCIL MTG & COPY OF ENTERPRISE ZONE ANNUAL SUMMARY REPORT FOR 2004; RECOMMENDING CONTINUATION OF ENTERPRISE ZONE TAX ABATEMENT PROJECT AGREEMENTS. - RECEIVED & FILED
215. TREASURER SCHIRACK: COMPARATIVE REPORT OF AMBULANCE LOCK BOX ACCOUNT FOR MARCH 2005. - RECEIVED & FILED
216. TREASURER SCHIRACK: COMPARATIVE REPORT OF INCOME TAX CASH RECEIPTS AS OF 3/31/05 - RECEIVED & FILED
217. TREASURER SCHIRACK: COMPARATIVE REPORT OF PARKING METER REVENUE FOR MARCH 2005. - RECEIVED & FILED
218. TREASURER SCHIRACK: REPORT OF TREASURER'S OFFICE BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF MARCH 31, 2005. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1<sup>ST</sup> RDG 1. AMENDING O.55/77 TO REZONE LOTS #5928-5932, 39906-39908, 40138-40140, 4419 & PART OF 4418 LOCATED AT 1934 NAVARRE RD SW FROM B-3 TO PI-1 AS REQUESTED BY RALPH J. COWAN FOR A BAKERY SPECIALIZING IN PITA BREAD; EMERGENCY. **PUB HRG 4/25/05 @ 7:30 PM**  
Referred to Judiciary Committee
- 1<sup>ST</sup> RDG 2. AMENDING O.55/77 FOR CITY-WIDE REZONING (NW CORNER 9<sup>H</sup> & MCKINLEY SW, R-1a TO B-3; 55<sup>TH</sup> NE, R-1 TO CS; AREA OFF OF SOUTHPONTE CIR NE, PR-4 TO OS; FROM 5<sup>TH</sup> TO 6<sup>TH</sup> ST SW & MARKET TO WALNUT AVENUES, B-4 TO B-5; FROM 9<sup>TH</sup> NE & MARKET N., E. TO W. SIDE OF WALNUT AVE., N. TO S. SIDE OF LUTHER PL NE, W. TO W. SIDE OF PIEDMONT NE, N. TO S. SIDE OF 11<sup>TH</sup> NE FOLLOWING PROPERTY LINES OF CIVIC/CULTURAL CTR COMPLEX TO CLEVELAND AVE., S. TO 9<sup>TH</sup> ST & E. TO PLACE OF BEGINNING, B-3 TO B-5. **PUB HRG 4/25/05 @ 7:31 PM**  
Referred to Judiciary Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING - CONTINUED:

- 1<sup>ST</sup> RDG 3. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH STARK COUNTY REGIONAL PLANNING COMMISSION FOR \$84,000 GRANT FOR A COMPREHENSIVE FAIR HOUSING PROGRAM; EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- 1<sup>ST</sup> RDG 4. AUTHORIZING SAFETY DIRECTOR TO ENTER INTO PROFESSIONAL SERVICE CONTRACT WITH THE CREDIT BUREAU OF STARK COUNTY, INC. TO COLLECT DELINQUENT USER FEES FOR AMBULANCE SERVICES; EMERGENCY  
Referred to Finance Committee

- 1<sup>ST</sup> RDG 5. AUTHORIZING SAFETY DIRECTOR TO ENTER INTO AN INTERIM PROFESSIONAL SERVICE CONTRACT WITH CT CONSULTANTS TO PERFORM DUTIES AS THE CITY'S CHIEF BUILDING OFFICIAL & PLANS EXAMINER; EMERGENCY  
Referred to Personnel & Finance Committee
- 1<sup>ST</sup> RDG 6. APPROVING & ACCEPTING REPLAT OF PARTS OF OUTLOTS 808 & 809 ON LESH STREET NE AS REQUESTED BY DEMPSEY SURVEYING ON BEHALF OF BOB EVANS RESTAURANT; EMERGENCY  
Referred to Public Safety & Thoroughfares committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#7:**

- 2<sup>ND</sup> RDG 7. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$149,900 CONTRACT WITH OSBORN ENGINEERING CO. FOR PROFESSIONAL ENGINEERING & SURVEYING SERVICES FOR THE 25<sup>TH</sup> STREET NE STORM SEWER PROJECT, GP 1090; AMENDING APPROPRIATION O.253/2004 BY MAKING A \$149,900 TRANSFER FROM 4501 202001 ENGINEER ADMINISTRATION FUND; EMERGENCY (EPU & Fin)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- 75/2005** 8. AMENDING APPROPRIATION O.253/2004 BY MAKING A \$13,573 SUPPLEMENTAL APPROPRIATION FROM THE 2328 PHI FUND FOR THE CITY HEALTH DEPARTMENT; EMERGENCY
- 76/2005** 9. AUTHORIZING CITY AUDITOR TO PAY \$50,000 MORAL OBLIGATION TO THE CANTON CITY SCHOOL DISTRICT BOARD OF EDUCATION FOR SALE & EXCHANGE OF REAL ESTATE; EMERGENCY
- 77/2005** 10. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$19,931 FEE MODIFICATION W/GPD ASSOCIATES TO EVALUATE & DESIGN RETENTION BASIN FOR STEESE AREA DRAINAGE PROJECT; AMENDING APPROPRIATION O.253/2004 FOR \$19,931 TRANSFER; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

Monday, April 18, 2005 @ 6:00 PM, Council Caucus Room

1. Personnel Committee
2. Judiciary Committee
3. Public Safety & Thoroughfares Committee
4. Community & Economic Development Committee
5. Environmental & Public Utilities Committee
6. Finance Committee
7. Intergovernmental & Public Service Committee

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY):      One Public Speaker

MISCELLANEOUS BUSINESS: Press Conference re: American Basketball League - Thursday, April 14, 2005, 9:30 AM @ Civic Center; Reminder to all city elected officials Ethics Commission forms due April 15; Denczak re: traffic lights @ 5<sup>th</sup> & S. Mkt & @ Hercules entrance; Diamond re: Monticello drainage issue; West "thank you" for attending Minority Kick-off event & crime in Ward 2; Zachary re: Building Healthy Communities event tomorrow at 5:45; Casar re: State budget ULGF cuts.

ADJOURNMENT TIME      8:21 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, APRIL 18, 2005 @ 7:30 PM