

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

APRIL 25, 2005

ROLL CALL: All 12 Councilmembers present

INVOCATION: Given by Ward 8 Councilmember Rosemary Diamond

PLEDGE OF ALLEGIANCE: Led by President of Council Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#13-20; Adopted 1st Rdg O#12 & 2nd Rdg O#19; Postponed Informal Resolution #53 & 3rd Rdg O#24)

PUBLIC HEARINGS:

7:30 PM A REQUEST BY ROY H. BATISTA, AGENT FOR RALPH J. COWAN, TO REZONE 1934 NAVARRE RD SW FROM B-3 TO PI-1 TO PERMIT A WHOLESALE BAKERY & RETAIL SALES, SPECIALIZING IN PITA BREAD.
(PLANNING COMMISSION RECOMMENDS APPROVAL) (No Public Speakers) See O.81/2005

7:31 PM PROPOSED ZONING MAP AMENDMENTS AS PROPOSED BY THE LAW DEPARTMENT & DISCUSSED AT THE 3/9/05 PLANNING COMMISSION MEETING. (PLANNING COMMISSION RECOMMENDS APPROVAL)
(No Public Speakers) See O.82/2005

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

INFORMAL RESOLUTIONS:

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

53. ZACHARY, K., WARD 4 MEMBER: SUPPORTING RECREATION IN WARD 4 AND CONSTRUCTION OF NEW JACKSON POOL IN 2006 CALENDAR YEAR. - **POSTPONED TO 5/9/05**

COMMUNICATIONS:

239. CD & PLANNING DIR. POORMAN: REQUESTING LEGISLATION AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/CANTON SYMPHONY ORCHESTRA ASSOC. TO PROVIDE A \$40,000 COMMUNITY DEVELOPMENT BLOCK GRANT FOR A CHILDREN'S ARTS CONNECTION PROGRAM. - C&E DEV & FINANCE CMTES

240. CD & PLANNING DIR. POORMAN: REQUESTING LEGISLATION AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/YMCA OF CENTRAL STARK COUNTY TO PROVIDE A \$30,000 EMERGENCY SHELTER GRANT FOR ESSENTIAL SERVICES FOR HOMELESS MEN. - C&E DEV & FINANCE CMTES

241. CD & PLANNING DIR. POORMAN: REQUESTING LEGISLATION AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/CANTON SYMPHONY ORCHESTRA ASSOC. TO PROVIDE A \$30,000 COMMUNITY DEVELOPMENT BLOCK GRANT FOR 2005 CONCERT IN THE PARK. - C&E DEV & FINANCE CMTES

242. CD & PLANNING DIR. POORMAN: REQUESTING LEGISLATION AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/ST. PAUL'S SENIOR HOUSING FOR A \$65,471 HOME FUNDS GRANT FOR COSTS ASSOCIATED WITH REFINANCING COMPLEX @ 1732 N MARKET AVE. - C&E DEV & FINANCE CMTES

243. CHIEF OF STAFF/FIN. DIR. ALLEN: SUBMITTING ADMINISTRATION'S REQUESTS FOR CAPITAL IMPROVEMENTS FOR 2005 & REQUEST VARIOUS SUPPLEMENTAL APPROPRIATIONS FOR SAME. - PPCI & FINANCE CMTES

244. COURT ADMIN. KOCHERA: SUBMITTING 2004 FISCAL SUMMARY & 2005 PROJECTIONS FOR VARIOUS COURT FUNDS IN THE CANTON MUNICIPAL COURTS. - FINANCE CMTE

245. COURT ADMIN. KOCHERA: 2004 MUNICIPAL COURT ANNUAL REPORT. - RECEIVED & FILED

246. DIAMOND, WARD 8 MEMBER: REQUESTING NEW CONSTRUCTION MORATORIUM BETWEEN 44TH ST NW TO 39TH ST NW & CLEVELAND AVE N TO NORMAN NW. - REC'D & FILED

247. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF 5/11/05 HEARING@ 2:00 PM AT DEPT OF JOB & FAMILY SERVICES OFFICE IN CANTON RE: RENEWAL APPLICATION REQUEST OF ID ABBOU, INC, dba HALL OF FAME MKT @ 704 SHERRICK RD SE. - INTGVT & PUB SRV CMTE

COMMUNICATIONS CONTINUED:

248. SERVICE DIRECTOR CONCATTO: SUBMITTING CIVIC CENTER BENCHMARK ANALYSIS REPORT. - REC'D & FILED; CC: FINANCE CMTE

249. SERVICE DIRECTOR CONCATTO: REQUEST \$4,698.82 SUPPLEMENTAL APPROPRIATION FROM 5223 WATER CRITICAL INFRASTRUCTURE PROTECTION FUND TO BE USED FOR CHANGE ORDERS IN THE INSTALLATION OF WATER DEPT SECURITY EQUIPMENT & PERIMETER FENCING . - FINANCE CMTE

250. SERVICE DIRECTOR CONCATTO: REQUESTING AUTHORIZATION TO ENTER INTO AGREEMENT W/STARK COUNTY ENGINEER TO PROCEED WITH JOINT PAVING PROGRAM AS RECOMMENDED BY OHIO PUBLIC WORKS COMMISSION. - INTGVT & PUB SRV & FINANCE CMTES
251. SERVICE DIRECTOR CONCATTO: REQUESTING \$57,500 SUPPLEMENTAL APPROPRIATION FROM 1001 GENERAL FUND TO FUND CIVIC CENTER'S 2004 SETTLEMENT OF SMG CONTRACT, & AMENDMENT TO O.174/95 BY INCREASING CASH DRAWER CHANGE @ CONCESSION OPERATION FROM \$2,500 TO \$10,000. - FINANCE CMTE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/FREED HOUSING CORPORATION TO PROVIDE A \$438,480 GRANT FOR TWO HOUSING PROGRAMS; EMERGENCY
Referred to Community & Economic Development & Finance Committees
- 1ST RDG 2. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/NOVA BEHAVIORAL HEALTH TO PROVIDE \$75,000 GRANT FOR MISC. REPAIR/RENOVATION COSTS FOR BUILDING @ 832 MARKET AVE N; EMERGENCY
Referred to Community & Economic Development & Finance Committees
- 1ST RDG 3. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/J.R. COLEMAN FAMILY SERVICES TO PROVIDE \$48,650 GRANT FOR RENOVATION COSTS FOR FACILITY @ 2213 14TH ST NE; EMERGENCY
Referred to Community & Economic Development & Finance Committees
- 1ST RDG 4. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/WESTERN STARK MEDICAL CLINIC TO PROVIDE \$20,000 GRANT FOR MEDICAL STAFF COSTS; EMERGENCY
Referred to Community & Economic Development & Finance Committees
- 1ST RDG 5. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/DOMESTIC VIOLENCE PROJECT TO PROVIDE \$50,000 GRANT FOR SHORT-TERM HOUSING FOR VICTIMS OF DOMESTIC VIOLENCE; EMERGENCY
Referred to Community & Economic Development & Finance Committees
- 1ST RDG 6. APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOT 324 LOCATED BETWEEN 4TH & 5TH STREETS NE & BETWEEN ORCHARD & SPRING AS REQUESTED BY HABITAT FOR HUMANITY; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 7. APPROVING & ACCEPTING THE REPLATTING OF PART OF LOT NO. 7694 AT QUEEN CT NW & HERT PL AS PROPOSED BY CITY OF CANTON; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 8. APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOTS NO. 29914- 29950, 29957-29975, 35044 & PART OF OL 491 & 493; APPROVING & ACCEPTING DEDICATION OF PART OF ALLEN AVE SE & PART OF MILL ST SE AS REQUESTED BY CITY OF CANTON; EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 9. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$8,550 FEE MODIFICATION W/CIVIL DESIGN ASSOC. TO PROVIDE ENGINEERING & SURVEYING SERVICES FOR 19TH ST NE IMPROVEMENT; AMENDING APPROPRIATION O.253/2004 BY MAKING \$8,550 SUPPLEMENTAL APPROPRIATION FOR SAME; EMERGENCY
Referred to Public Safety & Thoroughfares & Finance Committees
- 1ST RDG 10. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$105,185 FEE MODIFICATION W/URS CORP TO PREPARE RIGHT-OF-WAY PLANS, RIGHT-OF-WAY ACQUISITION & ASSOCIATED ADDITIONAL PLAN PREPARATION FOR TUSCARAWAS ST IMPROVEMENT PROJECT W/ODOT, GP 1062; AMENDING APPROPRIATION O.253/2004 BY MAKING \$105,185 SUPPLEMENTAL APPROPRIATION FOR SAME; EMERGENCY
Referred to Public Safety & Thoroughfares & Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 11. AUTHORIZING SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR DESIGN & CONSTRUCTION OF 2 SIGNS AT CANTON MEMORIAL CIVIC CENTER & CULTURAL CENTER FOR THE ARTS; AUTHORIZING MAYOR OF SERVICE DIRECTOR TO APPLY FOR & ACCEPT GRANT FROM ARTS IN STARK/CULTURAL CENTER FOR THE ARTS & TO ENTER INTO CONTRACT FOR USE & MANAGEMENT OF SIGNS; EMERGENCY
Referred to Public Property Capital Improvement & Finance Committees
- 79/2005** 12. AMENDING APPROPRIATION O.253/2004 BY MAKING \$80,000.00 SUPPLEMENTAL APPROPRIATION FROM 1001 GENERAL FUND TO INCREASE CIVIC CENTER CONCESSION SUPPLIES; EMERGENCY
Referred to Finance Committee

Recess from 7:53 to 7:56 p.m. for committee meeting on O#12, returned to the agenda for adoption.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#13-20:**

- 2ND RDG 13. RENAMING A PORTION OF MAHONING RD NE "O'JAYS BOULEVARD NE". (PS&T)
- 2ND RDG 14. AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO A 5-YEAR RECIPROCAL SERVICE AGREEMENT W/STARK STATE COLLEGE OF TECHNOLOGY FOR THE USE OF A 1982 TOWER TRUCK FOR FIREFIGHTER TRAINING; EMERGENCY. (I&PS)
- 2ND RDG 15. AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE & RECEIVE BIDS FOR THE SALE OF ONE PARCEL OF CITY-OWNED PROPERTY LOCATED ON 3RD STREET NE (FORMER CITY FIRE STATION) NO LONGER NEEDED FOR MUNICIPAL PURPOSES; & AUTHORIZING CONVEYANCE OF SAME TO THE HIGHEST BIDDER. (PPCI)
- 2ND RDG 16. AUTHORIZING THE MAYOR OR SAFETY DIRECTOR TO ENTER INTO WORK AGREEMENTS IN CONJUNCTION W/MARKET AVENUE TRAFFIC SIGNAL SYSTEM IMPROVEMENT PROJECT; EMERGENCY. (PS&T)
- 2ND RDG 17. AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT W/ODOT FOR THE UPGRADING OF 12 INTERSECTIONS IN THE FULTON ROAD TRAFFIC SIGNAL SYSTEM; AMENDING O.253/2004 FOR \$23,600 SUPPLEMENTAL APPROPRIATION FROM THE 4501 CAPITAL IMPROVEMENT FUND; EMERGENCY. (PPCI & Fin)
- 2ND RDG 18. AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID & DELINQUENT CHARGES FOR THE REMOVAL OF NOXIOUS WEEDS & DEBRIS; EMERGENCY. (I&PS)
- 80/2005** 19. AUTHORIZING THE CITY AUDITOR TO PAY MORAL OBLIGATIONS IN THE AMOUNT OF \$80,552.83 TO VARIOUS SUPPLIERS FOR MAINTENANCE ITEMS, CONCESSION SUPPLIES, CAPITAL IMPROVEMENTS & REPAIRS INCURRED BY THE CIVIC CENTER DURING 2004 & 2005; EMERGENCY. (Fin)
- 2ND RDG 20. AMENDING APPROPRIATION O.253/2004 FOR \$32,166.44 SUPPLEMENTAL APPROPRIATION FROM THE 5222 LAWR-CHESTER PHASE II WATER MAIN EXTENSION FUND NEEDED TO REPAY THE SEMI-ANNUAL PAYMENTS ON THE OWDA LOAN WHICH ARE DUE 7/1 & 1/1; EMERGENCY. (E&PU)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- 81/2005** 21. 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 HELD 4/25/05 @ 7:30 PM**
- 82/2005** 22. AMENDING O.55/77 FOR CITY-WIDE REZONING (NW CORNER 9TH & MCKINLEY SW, R-1a TO B-3; 55TH NE, R-1 TO CS; AREA OFF OF SOUTHPOINTE CIR NE, PR-4 TO OS; FROM 5TH TO 6TH ST SW & MARKET TO WALNUT AVENUES, B-4 TO B-5; FROM 9TH 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 11TH NE FOLLOWING PROPERTY LINES OF CIVIC/CULTURAL CTR COMPLEX TO CLEVELAND AVE., S. TO 9TH ST & E. TO PLACE OF BEGINNING, B-3 TO B-5. **PUB HRG HELD 4/25/05 @ 7:31 PM**
- 83/2005** 23. 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.

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

- 5/9/05** 24. 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.
- 84/2005** 25. 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.
- 85/2005** 26. 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.

ANNOUNCEMENT OF COMMITTEE MEETINGS: (Monday, May 9, 2005 @ 5:45 PM, Council Caucus Room)

1. Community & Economic Development Committee
2. Public Property Capital Improvement Committee
3. Public safety & Thoroughfares Committee
4. Finance Committee

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): (Five Public Speakers)

MISCELLANEOUS BUSINESS: Prater thanks Street Dept; West re: renaming of Mahoning Rd; Diamond re: damage from Monticello flooding; Law Director Martuccio re: gas aggregation program

ADJOURNMENT TIME: 8:44 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MAY 9, 2005 @ 7:30 PM