

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

MAY 23, 2005

ROLL CALL: 11 Councilmembers Present, 1 Absent (Griffin); President Ray Denczak Absent

INVOCATION: Given by Ward 1 Councilmember Greg Hawk

PLEDGE OF ALLEGIANCE: Led by Vice President of Council Don Casar

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 24B to add Re#55, 56 & 57; Suspended Rule 22A to add 2nd Rdg O#15-20--except #18 retained in cmte; Adopted O#17; Amended O#29; C#298 & 303 Withdrawn)

PUBLIC HEARINGS:

7:30 PM ANNEXATION OF 15.561 ACRES KNOWN AS THE SHAWNEE/CANTON TOWNSHIP ANNEXATION AREA; ASSIGNING SAID TERRITORY TO WARD 4; ZONING SAID TERRITORY AS R-3 (MULTI-FAMILY RESIDENTIAL). (PLANNING COMMISSION RECOMMENDS APPROVAL) 1 PUBLIC SPEAKER See O#108/2005

7:31 PM A REQUEST BY DONALD LEUCHTAG DBA RL EDWARDS COMPANY TO REZONE THE SOUTHWEST CORNER OF 11TH & GARFIELD SW FROM R-1A TO PI-1 (PLANNED LIGHT INDUSTRIAL) FOR THE PURPOSE OF CREATING ON-PREMISE PARKING. (PLANNING COMMISSION RECOMMENDS APPROVAL) NO PUBLIC SPEAKERS See O#109/2005

7:32 PM A REQUEST BY GROFFRE, INC TO VACATE PORTIONS OF RIVERSIDE DRIVE, WATER COURT, FORK PLACE, RAKE COURT, & IDA PLACE SE IN ORDER TO FENCE AN AREA TO PREVENT OPEN DUMPING. (PLANNING COMMISSION RECOMMENDS APPROVAL) NO PUBLIC SPEAKERS See O#110/2005

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

INFORMAL RESOLUTIONS:

1st VICE PRESIDENT JOE CARBENIA: EXCUSING MEMBER GRIFFIN & COUNCIL PRESIDENT RAY DENCZAK.

54. HAWK, WARD 1 MEMBER: COMMENDING JANET GORDON FOR 35 YEARS OF DEDICATED SERVICE TO THE CANTON URBAN LEAGUE - ADOPTED

SUSPENDED RULE 24B TO ADD RE#55,56&57:

55. PERSONNEL COMMITTEE: APPROVING THE MAYOR'S APPOINTMENT OF BARBARA ROSENBERG TO THE FAIR EMPLOYMENT PRACTICES BOARD FOR THE 3-YR TERM EFFECTIVE 5/1/05 TO 4/30/08. - ADOPTED

56. COUNCIL-AS-A-WHOLE: COMMENDING CANTON PROFESSIONAL FIREFIGHTERS ASSN LOCAL 249, IAFF, FOR CONDUCTING A FIRE GROUND OPERATIONS ORIENTATION FOR PUBLIC INFORMATION & FOR THEIR DEVOTION OF SAFETY TO THE GENERAL PUBLIC. - ADOPTED

57. COUNCIL-AS-A-WHOLE: COMMENDING STARK STATE COLLEGE OF TECHNOLOGY FOR PROVIDING FACILITIES TO THE CANTON PROFESSIONAL FIREFIGHTERS ASSN LOCAL 249, IAFF FOR THE DEMONSTRATE OF A FIRE GROUND OPERATIONS ORIENTATION. - ADOPTED

COMMUNICATIONS:

297. AUDITOR MALLONN: PROVIDING COUNCIL WITH THE STATUS OF THE COMPENSATED ABSENCE FUND; REQUESTING VARIOUS SUPPLEMENTAL APPROPRIATIONS, \$125,584.58 FROM THE GENERAL FUND & ETC.; REQUEST TO AMEND CITY CODE SECTION 151 TO ALLOW MANAGEMENT/NON-BARGAINING UNIT EMPLOYEES THE OPTION OF CASHING OUT BANKED TIME & REQUIRING THAT EMPLOYEES PROMOTED INTO MANAGEMENT BE REQUIRED TO CASH OUT BANKED VACATION. - PERSONNEL AND FINANCE CMTE

298. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE DIRECTOR TO CONTRACT W/HABITAT FOR HUMANITY OF GREATER CANTON TO PROVIDE \$80,000 FROM HOME FUNDS FOR REIMBURSEMENT OF MISCELLANEOUS INFRASTRUCTURE COSTS RELATING TO THE HOUSING PROGRAM. - **WITHDRAWN**

299. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE DIRECTOR TO CONTRACT W/PRIME TIME BASKETBALL, INC. TO PROVIDE \$20,000 FROM CDBG FUNDS FOR THE 2005 PRIME TIME BASKETBALL PROGRAM - COMMUNITY & ECONOMIC DEV & FINANCE CMTE

COMMUNICATIONS - CONTINUED:

300. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE DIRECTOR TO CONTRACT W/YWCA OF CANTON TO PROVIDE \$20,000 FROM ESG FUNDS FOR MISCELLANEOUS OPERATING COSTS FOR NEW BEGINNINGS PROGRAM. - COMMUNITY & ECONOMIC DEV & FINANCE

301. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE DIRECTOR TO CONTRACT W/FAMILIES FIRST OF STARK COUNTY TO PROVIDE \$15,000 FROM CDBG FUNDS FOR MISCELLANEOUS PROGRAM COSTS ASSOCIATED W/PARENTS ANONYMOUS PROGRAM. - COMMUNITY & ECONOMIC DEV & FINANCE CMTES
302. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE DIRECTOR TO CONTRACT W/COMMUNITY SERVICES OF STARK COUNTY TO PROVIDE \$100,000 FROM CDBG FUNDS FOR CONSTRUCTION OF 5,000 SQ. FT. BUILDING N. OF 625 CLEVELAND AVE NW. - COMMUNITY & ECONOMIC DEV & FINANCE CMTES
303. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE DIRECTOR TO CONTRACT W/CANTON NEGRO OLDTIMERS ATHLETIC ASSN. TO PROVIDE \$21,000 FROM CDBG FUNDS TO PURCHASE PROPERTY FOR HOUSING DEVELOPMENT & PARKING ON 10TH ST NE - **WITHDRAWN**
304. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE DIRECTOR TO CONTRACT W/ELSASS TEAM CENTER TO PROVIDE \$22,000 FROM CDBG FUNDS FOR ADMINISTRATION/STAFF COSTS FOR GROUP HOME & FOSTER CARE PROGRAM SERVICES. - COMMUNITY & ECONOMIC DEV & FINANCE CMTES
305. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE DIRECTOR TO CONTRACT W/ICAN, INC. TO PROVIDE \$38,500 FROM CDBG FUNDS FOR MISCELLANEOUS REPAIR/RENOVATIONS @ 1214 MARKET AVE. N. - COMMUNITY & ECONOMIC DEV & FINANCE CMTES
306. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR TO SUBMIT 2006 RECYCLE OHIO GRANT APPLICATION. - COMMUNITY & ECONOMIC DEV & FINANCE CMTES
307. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT W/SONOCO PHOENIX PACKAGING FOR 75% PERSONAL PROPERTY TAX EXEMPTION FOR 10 YEARS FOR EXPANSION OF FACILITY @ 2121 WARNER RD SE; AUTHORIZING CITY AUDITOR TO MAKE PAYMENTS TO CANTON BOARD OF EDUCATION PURSUANT TO ORC SEC. 5709.82 (C)&(D). - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE CMTES
308. HEALTH COMMISSIONER PATTISON: SUBMITTING COPY OF ODH CERTIFICATION TRANSMITTAL FOR PUBLIC SWIMMING POOLS FOR APRIL 2005. - RECEIVED & FILED
309. MUNI COURT ADMIN. KOCHERA: REQUESTING LEGISLATION AUTHORIZING THE MAYOR TO ENTER INTO A \$74,261 AGREEMENT W/STATE OF OHIO, DEPT OF REHAB & CORRECTION FOR RECEIPT OF FY 2006 COMMUNITY CORRECTIONS ACT GRANT. - MARKETING & DEVELOPMENT GRANT AND FINANCE CMTES
310. PLANNING COMMISSION: RECOMMENDING APPROVAL OF THE REPLAT OF 3 PARCELS INTO 2 RECONFIGURED LOTS LOCATED N OF 22ND ST SW ON E SIDE OF CLARENDON AVE AS REQUESTED BY EDWARD METZGER, SURVEYOR, FOR HABITAT FOR HUMANITY. - PUBLIC SAFETY & THRU CMTE
311. SERVICE DIRECTOR CONCATTO: REQUEST TO MAKE ADDITIONAL \$16,965 MORAL OBLIGATION PAYMENT TO 3-D SERVICE FOR EMERGENCY REPAIRS TO SYNCHRONOUS MOTOR FOR #1 PUMP @ NE WATER TREATMENT PLANT DUE TO FURTHER REPAIRS; REQUEST \$16,965 SUPPLEMENTAL APPROPRIATION FROM THE 5201 WATER FUND. - FINANCE CMTE
312. SLIMAN, SAM, AGT FOR PETITIONER: COPY OF ANNEXATION PETITION DOCUMENTS FILED WITH STARK COUNTY COMMISSIONERS IN THE GROFFRE/BROADWAY ANNEXATION AREA. - RECEIVED & FILED

COMMUNICATIONS - CONTINUED:

313. HART, WARD 7 COUNCILMEMBER: SUBMITTING CONCEPT & REQUEST TO REDEVELOP THE FORMER MOTHER GOOSE LAND LOCATED OFF WEST TUSC. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. APPROVING & ACCEPTING REPLAT OF ALL OF LOTS #41649 THRU 41653 AND ALL OF OUTLOTS 968, 970 & 971 FOR BURNHAM HILLS CONDO NUMBER TWO PROJECT; EMERGENCY
Referred to Public Safety & Thoroughfares
- 1ST RDG 2. AUTHORIZING THE MAYOR OR SERVICE DIRECTOR TO CONTRACT W/CANTON CITY SCHOOL DISTRICT TO PROVIDE A \$25,000 GRANT FOR THE EARLY CHILDHOOD EDUCATION PROGRAM; EMERGENCY
Referred to Community & Economic Development & Finance

- 1ST RDG 3. AMENDING O.122/92, AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED AGREEMENT W/STARK COUNTY OUT OF POVERTY PARTNERSHIP INC TO PROVIDE ADDITIONAL FUNDING IN THE AMOUNT OF \$80,696 FROM 2005 HOME FUNDS; EMERGENCY
Referred to Community & Economic Development & Finance
- 1ST RDG 4. AUTHORIZING THE MAYOR OR SERVICE DIRECTOR TO CONTRACT W/STARK PRESCRIPTION ASSISTANCE NETWORK INC TO PROVIDE A \$15,000 GRANT FOR MISCELLANEOUS MEDICAL PRESCRIPTION COSTS FOR LOW/MODERATE INCOME PERSONS; EMERGENCY
Referred to Community & Economic Development & Finance
- 1ST RDG 5. AUTHORIZING THE MAYOR OR SERVICE DIRECTOR TO CONTRACT W/CANTON COMMUNITY CLINIC INC TO PROVIDE A \$175,000 GRANT FOR OPERATIONAL EXPENSES; EMERGENCY
Referred to Community & Economic Development & Finance
- 1ST RDG 6. AUTHORIZING THE MAYOR OR SERVICE DIRECTOR TO CONTRACT W/CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE A \$175,000 GRANT FOR A COMPREHENSIVE ECONOMIC & DOWNTOWN DEVELOPMENT PROGRAM; EMERGENCY
Referred to Community & Economic Development & Finance
- 1ST RDG 7. AMENDING O.253/2004 FOR VARIOUS SUPPLEMENTAL APPROPRIATIONS FOR THE HEALTH DEPARTMENT, \$16,509.49 FROM THE 2353 SWIMMING POOL FUND & ETC.; EMERGENCY
Referred to Finance
- 1ST RDG 8. VACATING PARTS OF 7TH STREET & WELLS AVENUE NW AS REQUESTED BY EDWARD OVERDORF FOR IRON WORKERS LOCAL 550 FOR PROPERTY IMPROVEMENT & DEVELOPMENT; EMERGENCY
Referred to Public Safety & Thoroughfares **PUB HRG 6/20/05 @ 7:30 PM**
- 1ST RDG 9. APPROVING & ACCEPTING THE REPLATTING OF PARTS OF OUTLOTS 488 THRU 491, 493 & PARTS OF LOTS 3297 & 3301 AS REQUESTED BY THE CITY OF CANTON FOR THE TRAFFIC SIGN & PAINT DEPT; EMERGENCY
Referred to Public Safety & Thoroughfares
- 1ST RDG 10. VACATING PART OF MILTON COURT NW; APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOTS 13080, 41228 THRU 14242, 14254 THRU 14262, 34880, 34881, 34883, 37085, 37086 & 38546 AND PARTS OF LOTS 14243 & 14244, VACATED MILTON COURT NW & PRIVATE ALLEYS; APPROVING & ACCEPTING THE DEDICATION OF PART OF CROWN PLACE NW FOR DEVELOPMENT OF THE NEW CLARENDON ELEMENTARY SCHOOL; EMERGENCY
Referred to Public Safety & Thoroughfares
- 1ST RDG 11. AUTHORIZING THE CITY AUDITOR TO PAY A \$13,505.64 MORAL OB TO PATH MASTER INC FOR REPLACEMENT OF A TRAFFIC SIGNAL CONTROLLER AT 6TH & PROSPECT/I-77 SB OFF-RAMP SW; AMENDING O.253/2004 FOR A \$15,575 SUPPLEMENTAL APPROPRIATION; EMERGENCY
Referred to Public Property Capital Improvement & Finance
- 1ST RDG 12. AUTHORIZING THE SAFETY DIRECTOR TO MAKE APPLICATION & ACCEPT A \$33,994 GRANT FROM THE STATE FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM; EMERGENCY
Referred to Marketing & Development Grant & Finance
- 1ST RDG 13. AUTHORIZING THE CITY AUDITOR TO PAY A \$13,505.64 MORAL OB TO SOUTHEASTERN EQUIPMENT COMPANY FOR REPAIR OF A BACKHOE FOR THE WATER DEPARTMENT; EMERGENCY
Referred to Public Property Capital Improvement & Finance
- 1ST RDG 14. A RESOLUTION DESIGNATING PUBLIC MONEYS AVAILABLE FOR ACTIVE & INTERIM DEPOSITS & DESIGNATING DEPOSITORY BANKS FOR SAID DEPOSITS
Referred to Finance

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#15-20—except #18 retained in cmte:**

- 2ND RDG 15. AUTHORIZING THE AUDITOR TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT W/FINANCIAL NETWORK OF AMERICA LTD FOR AN ALTERNATIVE 457 DEFERRED COMPENSATION PROGRAM; EMERGENCY.
- 2ND RDG 16. AMENDING O.253/2004 FOR A \$97,000 SUPPLEMENTAL APPROPRIATION FROM THE 2328 PUBLIC HEALTH INFRASTRUCTURE GRANT FUND FOR THE HEALTH DEPARTMENT; EMERGENCY.
- 106/2005** 17. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A \$22,684.44 CONTRACT W/MYTHICS INC FOR THE PURCHASE OF AN ORACLE APPLICATION SERVER LICENSE & ORACLE PROCESSOR LICENSE PURSUANT TO ORC SEC. 124.04; EMERGENCY.
- RETAINED IN COMMITTEE** 18. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CHANGE ORDERS #3&4 W/ESLICH WRECKING COMPANY IN A TOTAL AMOUNT OF \$69,100 FOR ADDITIONAL DEMOLITION & SITE RESTORATION WORK AT THE KRESGE BLOCK; EMERGENCY.
- 2ND RDG 19. APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE STARK-TUSC-WAYNE JOINT SOLID

WASTE MANAGEMENT DISTRICT; EMERGENCY.

- 2ND RDG 20. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A \$23,960 PROFESSIONAL SERVICE CONTRACT W/ATELIER CORP OF WILSON-HAWK, DBA THE WILSON ARCHITECTURAL GROUP, FOR ARCHITECTURAL SERVICES RELATED TO THE FEDERAL CAMPUS PROJECT; EMERGENCY.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- 107/2005 21. ESTABLISHING \$2,000 FAIR REUSE VALUE OF 1 PARCEL (#02-80867) OF CITY-OWNED PROPERTY LOCATED ON MARKET AVENUE N; AUTHORIZING SALE & CONVEYANCE TO FOREST CITY RESIDENTIAL MANAGEMENT INC (CANTON TOWERS) PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY.
- 108/2005 22. AUTHORIZING CANTON TO ANNEX 15.561 ACRES KNOWN AS THE SHAWNEE/CANTON TOWNSHIP ANNEXATION AREA; ASSIGNING SAID TERRITORY TO WARD 4; ZONING SAID TERRITORY AS R-3; EMERGENCY. **PUB HRG HELD 5/23/05 @ 7:30 PM**
- 109/2005 23. AMENDING ZONING O.55/77 TO REZONE LOTS #5159-5161 LOCATED AT 11TH & GARFIELD AVE SW AS REQUESTED BY DONALD LEUCHTAG DBA RL EDWARDS CO. FOR THE PURPOSE OF CREATING ON-PREMISE PARKING; EMERGENCY. **PUB HRG HELD 5/23/05 @ 7:31 PM**
- 110/2005 24. VACATING PORTIONS OF RIVERSIDE DRIVE, WATER COURT, FORK PLACE, RAKE COURT, & IDA PLACE SE REQUESTED BY GROFFRE, INC; EMERGENCY. **PUB HRG HELD 5/23/05 @ 7:32 PM**
- 111/2005 25. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO 1-YR CONTRACT W/THE CANTON SYMPHONY ORCHESTRA ASSOCIATION TO PROVIDE A \$40,000 GRANT FOR THE CHILDREN'S ARTS CONNECTION PROGRAM; EMERGENCY.
- 112/2005 26. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/THE YMCA OF CENTRAL STARK COUNTY TO PROVIDE A \$30,000 EMERGENCY SHELTER GRANT FOR ESSENTIAL SERVICES; EMERGENCY.
- 113/2005 27. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/THE CANTON SYMPHONY ORCHESTRA ASSOCIATION TO PROVIDE A \$40,000 GRANT FOR THE 2005 CONCERT IN THE PARK; EMERGENCY.
- 114/2005 28. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/ST. PAUL'S SENIOR HOUSING INC TO PROVIDE A \$65,471 GRANT FOR COSTS ASSOCIATED WITH THE REFINANCING OF ST. PAUL'S SENIOR HOUSING COMPLEX; EMERGENCY.

AMENDED

- 115/2005 29. AMENDING O.253/2004 BY MAKING SUPPLEMENTAL APPROPRIATIONS, REDUCTIONS AND INTERFUND TRANSFERS FOR THE CITY OF CANTON 2005 CAPITAL IMPROVEMENTS PROGRAM; EMERGENCY.
- 116/2005 30. AMENDING O.253/2004 BY MAKING A \$4,698.82 SUPPLEMENTAL APPROPRIATION FROM THE 5223 WATER CRITICAL INFRASTRUCTURE PROTECTION FUND TO PURCHASE & INSTALL SECURITY EQUIPMENT & PERIMETER FENCING; EMERGENCY.
- 117/2005 31. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO AGREEMENT WITH STARK COUNTY TO PROCEED WITH A JOINT PAVING PROJECT; EMERGENCY.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING- CONTINUED:

- 118/2005 32. AMENDING O.253/2004 BY MAKING A \$57,500 SUPPLEMENTAL APPROPRIATION FROM THE 1001 GENERAL FUND FOR CIVIC CENTER ADMINISTRATION; AMENDING O.174/95 FOR CIVIC CENTER PETTY CASH CHANGE DRAWER; EMERGENCY.
- 119/200 33. A RESOLUTION APPROVING STATEMENT OF SERVICES TO BE PROVIDED TO PROPERTY OWNER IN THE GROFFRE/BROADWAY ANNEXATION AREA; EMERGENCY.

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, JUNE 6, 2005 AT 5:30 PM, COUNCIL CAUCUS ROOM

Presentation by Lola Louis, Urban Forester, re: Canton becoming a Tree City Organization

MONDAY, JUNE 6, 2005 AT 6:00 PM, COUNCIL CAUCUS ROOM

1. Community & Economic Development Committee
2. Finance Committee
3. Public Safety & Thoroughfares Committee
4. Marketing & Development Grant Committee
5. Public Property Capital Improvement Committee

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): FOUR PUBLIC SPEAKERS

MISCELLANEOUS BUSINESS: Councilmember Zachary re: street paving lists; Law Director re: Claims Committee meeting on pending litigation & demolitions & congratulations to Fire Depart on operations orientation at Stark State; Councilmember Bernabei re: responses to advertisement in Repository on the sale of Stadium Park land.

ADJOURNMENT TIME: 9:01 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JUNE 6, 2005 @ 7:30 PM