

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

JULY 25, 2005

ROLL CALL: 11 Councilmembers present, 1 absent (Casar)

INVOCATION: Given by Ward 5 Councilmember Terry Prater

PLEDGE OF ALLEGIANCE: Led by President of Council Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 24B to add Re#79; Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#10-17; O#21 Withdrawn; Amended O#22)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

1<sup>st</sup> VICE PRESIDENT CARBENIA: EXCUSING MEMBER CASAR.

SUSPENDED RULE 24B TO ADD RE#79:

79. INTRGOV & PUB SRV CMTE: OBJECTING TO THE ISSUANCE OF A NEW C1,2 LIQUOR PERMIT REQUESTED BY HALL MART INC, DBA HALL FUEL MART @ 3325 HARMONT AVENUE NE. - ADOPTED

80. WEST, WARD 2 COUNCILMEMBER: REQUESTING THE SERVICE DIRECTOR AUTHORIZE A STREET LIGHT AT 312 - 13<sup>TH</sup> STREET NE IN WARD 2 OF THE CITY OF CANTON. - SERVICE DIRECTOR - ADOPTED

COMMUNICATIONS:

379. CHIEF OF STAFF/BUDGET DIR ALLEN: REQUESTING THE ADOPTION OF THE CITY'S TAX BUDGET AS REQUIRED BY ORC SEC 5705 ON 9/12/05 & REQUESTING A PUBLIC HEARING BE SCHEDULED FOR 7:30 PM DURING THE 8/22/05 COUNCIL MTG. - FINANCE CMTE AND PRESIDENT OF COUNCIL

380. HART, R., WARD 7 COUNCILMEMBER: PROPOSING THE PARK SHELTER RENTAL FEES BE WAIVED FOR CITY RESIDENT RETIREES. - PARKS & RECREATION CMTE AND MAYOR

381. HEALTH BENEFITS ADMIN. BRESSON: JUNE 2005 MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JAN-JUNE 2005 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED

382. HEALTH BOARD, CITY OF CANTON: SUBMITTING HEALTH BOARD-APPROVED POSITION STATEMENT FOR A SMOKE FREE CANTON & REQUESTING COUNCIL CONSIDER PROHIBITING INDOOR SMOKING IN ALL PUBLIC PLACES & PLACES OF EMPLOYMENT - JUDICIARY CMTE

383. LIQUOR CONTROL DIVISION (OHIO): RE: C#286 ON 5/16/05 AGENDA, CORRECTING THE STREET ADDRESS OF PROPOSED TRANSFER D5 LIQUOR LICENSE REQUESTED BY HISTORIC CITI ENTERPRISES TO 101 MARKET IN LIEU OF 101 CENTRAL PLAZA. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

384. LIQUOR CONTROL DIVISION (OHIO): CAROUSEL LOUNGE INC HAS REQUESTED TRANSFER OF D1,D3,D3A&D6 LIQUOR PERMIT AT 3012 ATLANTIC BLVD NE FROM JOHN & ARTHUR JOHNSON, DBA CAROUSEL LOUNGE. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

385. PLANNING COMMISSION: RECOMMENDING APPROVAL OF THE DEDICATION OF RIGHT OF WAY AT 4<sup>TH</sup> & FULTON NW REQUESTED BY THE CITY ENGINEER FOR TIMKEN CAMPUS WORK. - PUBLIC SAFETY & THOROUGHFARES CMTE

386. PLANNING COMMISSION: RECOMMENDING APPROVAL OF THE REQUEST BY LLOYD & KATHLEEN HECKERT TO REZONE 2716 MARKET AVENUE NORTH FOR A BED & BREAKFAST. - JUDICIARY CMTE **PUB HRG 8/22/05 @ 7:30 PM**

COMMUNICATIONS - CONTINUED:

387. PLANNING COMMISSION: RECOMMENDING APPROVAL OF THE REQUEST BY CHRIST PRESBYTERIAN CHURCH TO VACATE WELLS AVENUE SW BETWEEN WEST TUSC & 2<sup>ND</sup>

## STREET SW. - PUBLIC SAFETY &amp; THOROUGHFARES CMTE

388. PLANNING COMMISSION: RECOMMENDING APPROVAL OF ANNUAL CITY-WIDE ZONING MAP CHANGES: 15<sup>TH</sup> NW (KEMPTHORN), WEST TUSC (DOWNTOWN FORD), 839 CLEVELAND NW (GANLEY L/M), 415 BELDEN SE (FIRE STA), SW CORNER 30<sup>TH</sup> & CLEVELAND, 2460 ATLANTIC BLVD NE (ATLANTIC POOLS), & SE CORNER 8<sup>TH</sup> & CORNELIA. - JUDICIARY CMTE  
**PUB HRG 9/12/05 @ 7:30 PM**
389. PRESIDENT OF COUNCIL DENCZAK: REQUESTING THE PPCI & FINANCE COMMITTEES CONSIDER PURCHASING AN AUTOMATIC CHEST COMPRESSION KIT IN THE AMOUNT OF \$15,000 FOR EACH CITY AMBULANCE. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE CMTE
390. SAFETY DIRECTOR HUNT: REQUEST TO DISPOSE OF OBSOLETE SECTIONS OF 3" HOSE BY SELLING TO THE БЕЛОIT FIRE DEPT FOR \$60 AS PERMITTED BY ORC SEC. 721.15. - PUBLIC PROPERTY CAPITAL IMPROVEMENT CMTE
391. SERVICE DIRECTOR CONCATTO: REQUEST APPROVAL TO EXTEND A WATER MAIN ON SOUTHWAY SW IN PERRY TWP TO A 40-ACRE SITE AT SOUTHWAY & EILEEN AVE SW TO SERVE 89 NEW HOMES & APPROX 30 OTHER PROPERTIES. - ENVIRONMENTAL & PUBLIC UTILITIES CMTE
392. STRK CNTY TOBACCO PREVENTION: SUBMITTING AN INFORMATION PACKET FOR COUNCIL REVIEW RE: CLEAN INDOOR AIR LEGISLATION. - JUDICIARY CMTE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMENDING CITY CODE SECTION 151.07, VACATIONS, RE: CASH PAYMENT OF BANKED VACATION FOR CITY EMPLOYEES.  
Referred to Personnel & Finance Cmtes
- 1ST RDG 2. AUTHORIZING THE MAYOR OR SERVICE DIRECTOR TO CONTRACT W/HABITAT FOR HUMANITY TO PROVIDE A \$120,000 GRANT FOR REIMBURSEMENT OF MISCELLANEOUS INFRASTRUCTURE COSTS RELATING TO THE HOUSING PROGRAM; EMERGENCY.  
Referred to Community & Economic Development & Finance Cmtes
- 1ST RDG 3. A RESOLUTION OF NECESSITY TO PROCEED W/IMPLEMENTATION OF THE PUBLIC SERVICE PLAN ADOPTED BY THE DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; DECLARING THE NECESSITY TO PROCEED W/SPECIAL ASSESSMENTS FOR FUNDING SAID PLAN FOR A 4-YR PERIOD; EMERGENCY.  
Referred to Community & Economic Development Cmte
- 1ST RDG 4. AUTHORIZING THE MAYOR OR SERVICE DIRECTOR TO CONTRACT W/NORTHRUP GRUMMAN INFORMATION TECHNOLOGY, AMCI & PIONEER PROGRAMMING FOR PURCHASE OF EQUIPMENT & MATERIALS FOR THE CITY HEALTH DEPT (MOTOROLA PORTABLE RADIOS, SWIPER CLINIC MANAGEMENT SYSTEM & 14 LAPTOP COMPUTERS); EMERGENCY.  
Referred to PPCI & Finance Cmtes
- 1ST RDG 5. AMENDING APPROPRIATION O.253/2004 FOR A \$74,585 SUPPLEMENTAL APPROPRIATION FROM THE 2328 PHI FUND; EMERGENCY.  
Referred to Finance Cmte
- 1ST RDG 6. AUTHORIZING A CONTRACT AMENDMENT WITH AFSCME LOCAL 2937 & OHIO COUNCIL 8 RE: ARTICLE 2, RECOGNITION; ARTICLE 66, WAGE SCHEDULE; & ARTICLE 71, MISCELLANEOUS PROVISIONS; EMERGENCY.  
Referred to Personnel Cmte
- 1ST RDG 7. AMENDING EXHIBIT A TO BARGAINING UNIT PERSONNEL O.40/2000 TO REFLECT CONTRACT AMENDMENTS WITH AFSCME LOCAL 2937 FOR EMPLOYEES IN CIVIC CENTER, SANITATION, WPCC, & WATER DIVISIONS; EMERGENCY.  
Referred to Personnel Cmte

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING - CONTINUED:

- 1ST RDG 8. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO \$23,900 CONTRACT W/ARCADIS FPS INC TO PERFORM A SEWER RATE STUDY; AMENDING O.253/2004 FOR A \$23,900 SUPPLEMENTAL APPROPRIATION FROM THE 5410 SANITARY SEWER FUND; EMERGENCY.  
Referred to Environmental & Public Utilities & Finance Cmtes
- 1ST RDG 9. AUTHORIZING THE MAYOR OR SERVICE DIRECTOR TO ACCEPT A \$13,228 GRANT FROM THE TIMKEN FOUNDATION TRUSTEES; AMENDING O.253/2004 FOR A \$13,228 SUPPLEMENTAL APPROPRIATION FROM THE 4501 CAPITAL IMPROVEMENT FUND; EMERGENCY.

Referred to PPCI & Finance CmtesORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#10-17:**

- 2ND RDG 10. ESTABLISHING A \$600 FAIR MARKET VALUE FOR A PARCEL LOCATED ON 6<sup>TH</sup> STREET NE; AUTHORIZING SALE & CONVEYANCE OF SAME TO HABITAT FOR HUMANITY PURSUANT TO RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY. (C&E Dev)
- 2ND RDG 11. APPROVING & ACCEPTING THE CONSOLIDATION PLAT OF VARIOUS LOTS, PART OF VACATED LESTER COURT SE & PART OF VACATED PREYOR CT SE FOR DIEBOLD INC'S MULBERRY ROAD SE SITE; EMERGENCY. (PS&T)
- 2ND RDG 12. APPROVING AND ACCEPTING THE REPLATTING OF OUTLOTS 1147 & 1148 REQUESTED BY WAL-MART AT CANTON CENTRE MALL; EMERGENCY. (PS&T)
- 2ND RDG 13. APPROVING & ACCEPTING THE REPLATTING OF PART OF OUTLOT 986 REQUESTED BY T CORP LLC AT 3713 PROGRESS STREET NE; EMERGENCY. (PS&T)
- 2ND RDG 14. AUTHORIZING THE SAFETY DIRECTOR TO ADVERTISE, RECEIVE BIDS & CONTRACT FOR THE PURCHASE OF A DIGITAL IN-CAR CAMERA SYSTEM FOR THE POLICE DEPT; EMERGENCY. (PPCI & Fin)
- 2ND RDG 15. AUTHORIZING THE SAFETY DIRECTOR TO ACCEPT & EXECUTE THE EMERGENCY PREPAREDNESS & RESPONSE DIRECTORATE'S FIRE PREVENTION & SAFETY GRANT PROGRAM, ASSISTANCE TO FIREFIGHTERS GRANT FOR FISCAL YEAR 2004; AMENDING O.253/2004 FOR \$26,742 SUPPLEMENTAL APPROPRIATION FROM 2813 FIREFIGHTERS ASSISTANT GRANT FUND & \$11,461 FROM 4501 CAPITAL IMPROVEMENT FUND; EMERGENCY. (Mktg & Dev Grant & Fin)
- 2ND RDG 16. AUTHORIZING SERVICE DIRECTOR TO ACCEPT A \$445,000 GRANT FROM DEPT OF NATURAL RESOURCES - CLEAN OHIO TRAILS FUND; AUTHORIZING SERVICE DIRECTOR TO ENTER INTO AN INTER-AGENCY AGREEMENT WITH THE STARK COUNTY PARK DISTRICT FOR CONSTRUCTION OF TRAIL; AMENDING O.253/2004 FOR \$30,000 TRANSFER FROM 4501 20-10-01 SERVICE DIRECTOR FUND; EMERGENCY. (Pk & Rec & Fin)
- 2ND RDG 17. AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & CONTRACT FOR PROJECT CONSTRUCTION FOR THE 407 EAST TUSC PARKING LOT PROJECT, GP 1091; AMENDING O.253/2004 FOR A \$175,000 SUPPLEMENTAL APPROPRIATION FROM THE 2155 CITY PARKING DECK/LOT FUND; EMERGENCY. (PPCI & Fin)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- 157/2005 18. AMENDING APPROPRIATION O.253/2004 BY MAKING VARIOUS SUPPLEMENTAL APPROPRIATIONS, \$125,584.58, ETC; EMERGENCY. (Compensated Absence Fund & Cashing Banked Vacation).
- 158/2005 19. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO CONVEY NO LONGER NEEDED CITY OWNED PROPERTY ON 10<sup>TH</sup> ST TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; EMERGENCY.
- 159/2005 20. AMENDING O.253/2004 BY MAKING A \$48,000 SUPPLEMENTAL APPROPRIATION FROM THE 2316 WIC FUND FOR THE HEALTH DEPT; EMERGENCY.
- WITHDRAWN 21. AMENDING SECTION 509.15 OF THE CODIFIED ORDINANCES RE: PROHIBITIONS ON COMMERCIAL SALES ON FOOTBALL HALL OF FAME PARADE ROUTE; EMERGENCY.
- AMENDED  
160/2005 22. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$25,000 YEARLY CONTRACT W/CANTON JOINT RECREATION DISTRICT FOR FIELD MAINTENANCE @ THURMAN MUNSON MEMORIAL STADIUM; EMERGENCY.

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

- 161/2005 23. ESTABLISHING FAIR MARKET VALUE OF CITY OWNED PROPERTY LOTS 217, 218 & 219 IN CONJUNCTION WITH THE FEDERAL CAMPUS PROJECT FOR \$230,000; AUTHORIZING SALE & CONVEYANCE OF SAID PROPERTY TO AMERICAN ELECTRIC POWER; EMERGENCY.
- 162/2005 24. AUTHORIZING SERVICE &/OR SAFETY DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT(S) TO PURCHASE VARIOUS MOTOR VEHICLES & OTHER ITEMS OR EQUIPMENT FOR VARIOUS CITY DEPARTMENTS; AUTHORIZING SERVICE &/OR SAFETY DIRECTOR TO PURCHASE VEHICLES & EQUIPMENT PURSUANT TO ORC SEC. 125.04 & 5513.01; EMERGENCY. (City's 4502 Capital Budget Vehicle Purchases for 2005).

ANNOUNCEMENT OF COMMITTEE MEETINGS:

**Thursday, July 28, 2005 @ 9:30 AM, Council Caucus Room**

Finance Committee re: review of City Budget

**Wednesday, August 10, 2005 @ 6:30 PM, Council Caucus Room**

1. Personnel Committee
2. Finance Committee
3. Public Property Capital Improvement Committee
4. Environmental & Public Utilities Committee
5. Community & Economic Development Committee

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY):      (NO SPEAKERS)

MISCELLANEOUS BUSINESS:      Service Director re: Streetscapes on Market Avenue North; Member Diamond re: Glen Hollow final plat submittal; Member Dougherty re: September 10, 2005 - Feed The Needy Picnic; Member Hart re: 25<sup>th</sup> & Fulton Clean Up timeliness; President Denczak re: Next Council meeting on Wednesday, August 10, 2005 at 7:30pm in lieu of Monday, August 8th.

ADJOURNMENT TIME:      8:03 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON WEDNESDAY, AUGUST 10, 2005 @ 7:30

PM