

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

AUGUST 22, 2005

ROLL CALL: 11 Members Present, 1 Absent (Diamond)

INVOCATION: Given by Ward 7 Councilmember Richard D. Hart

PLEDGE OF ALLEGIANCE: Led by President of Council Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#11-17; Suspended Rule 24B to add Res#83; Amended & Adopted O#9 & #13; Postponed O#20 & 23 to 9/12/05)

PUBLIC HEARINGS:

7:30 pm A REQUEST BY LLOYD & KATHLEEN HECKERT TO REZONE 2716 MARKET AVENUE N. FROM R-1 TO PR-1 PLANNED SINGLE FAMILY RESIDENTIAL FOR A BED & BREAKFAST. (PLANNING CMSN RECOMMENDS APPROVAL) 9 Public Speakers (See O#174/2005)

7:31 PM THE CITY OF CANTON'S PROPOSED TAX BUDGET FOR THE FISCAL YEAR ENDING 12/31/2006. No Public Speakers (See O#11, 2nd Rdg)

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

INFORMAL RESOLUTIONS:

VICE PRESIDENT DONALD E. CASAR: EXCUSING MEMBER DIAMOND.

SUSPENDED RULE 24B TO ADD RE#83:

83. PERSONNEL COMMITTEE: CONFIRMING THE MAYOR'S RE-APPOINTMENT OF CHARLES DEGRAFF TO THE STARK AREA REGIONAL TRANSIT AUTHORITY (SARTA) FOR THE 3-YR TERM EFFECTIVE 9/1/05 TO 8/31/08. - ADOPTED

COMMUNICATIONS:

423. AUDITOR MALLONN: CERTIFICATE OF TOTAL AMOUNT FROM ALL SOURCES FOR 2005 DATED 8/12/2005. - CLERK OF COUNCIL

424. HEALTH BENEFITS ADMIN BRESSON: JULY 2005 MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS, & JAN-JUL 2005 PAID CLAIMS & COMPARATIVE REPORT. - REC'D & FILED

425. HEALTH COMMISSIONER PATTISON: REQUEST TO APPROPRIATE VARIOUS UNAPPROPRIATED CASH BALANCES (\$17,715.58 FROM 2312 STD CONTROL FUND, & etc). - FINANCE CMTE

426. LAW DIRECTOR MARTUCCIO: SUGGESTING TO RETAIN THE MATTER OF PREDATORY LENDING PRACTICES IN THE JUDICIARY CMTE PENDING OHIO SUPREME COURT DECISION OF SAME. - REC'D & FILED; cc: JUDICIARY CMTE

427. LAW DIRECTOR MARTUCCIO: FORWARDING AN ORDINANCE APPROVING EDITING & INCLUSION OF CERTAIN ORDINANCES ADOPTED 7/1/04-6/30/05 AS PART OF THE CODIFIED ORDINANCES; SUBMITTING RESOLUTION TO DISTRIBUTE FREE COPIES OF 2005 SUPPLEMENT TO CANTON CITY PUBLIC OFFICIALS & INSTITUTIONS, & AFFIX A PRICE FOR SALE OF SAME. - JUDICIARY CMTE

428. LIQUOR CONTROL DIVISION (OHIO): RIVIERA CLUB OF CANTON DBA IRISH EYES SOCIAL CLUB @ 3151 MAHONING RD NE HAS REQUESTED A TRANSFER OF LOCATION D4 LIQUOR PERMIT FROM 508 CLEVELAND AVE N. - INTERGOVERNMENTAL & PUB SERV CMTE

429. PLANNING COMMISSION: RECOMMENDING APPROVAL OF THE REQUEST BY AULTMAN HOSPITAL TO VACATE PART OF GROVE PL. & FOREST AVE. SW; & REPLAT OF LOTS #11663, 15744-15746, & 16060 & THE VACATED PORTION OF GROVE PL & FOREST AVE. SW. - PUBLIC SAFETY & THOROUGHFARES CMTE

430. PLANNING COMMISSION: RECOMMENDING APPROVAL OF ZONE CHANGE REQUEST BY DEHOFF DEVELOPMENT FOR LOT #37249-37252 & PARTS OF OL #806 & 807 ON HARMONT AVE. NE FR: R-1a TO PB-3. - JUDICIARY CMTE.
PUB HRG 9/26/05 @ 7:30 PM

431. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY BETTY HILL TO REPLAT 2 PARCELS INTO 2 RECONFIGURED LOCATED ON N. SIDE OF 19TH ST. NE, E. OF ST ELMO. - PUB SAFETY & THOR CMTE

COMMUNICATIONS - CONTINUED:

431. PRATER, T., WARD 5 COUNCILMBR: REQUEST FOR STATEMENT OF SERVICE LEGISLATION IN THE DONALD L. MOORE ANNEXATION AREA CONSISTING OF 2.006 ACRES IN THE AREA OF 34TH & MORRIS AVE. NE IN PLAIN TWP. - ANNEXATION CMTE

433. SAFETY DIRECTOR HUNT: REQUEST TO ENTER INTO \$90,690 CONTRACT W/ODOT TO REPLACE &/OR UPGRADE TRAFFIC SIGNAL EQUIPMENT AT 21 LOCATIONS WITHIN THE MARKET AVENUE TRAFFIC SIGNAL SYSTEM. - PUBLIC SAFETY & THOROUGHFARES & FINANCE CMTEs
434. SERVICE DIRECTOR CONCATTO: REQUEST TO AMEND CITY CODE CHAPTER 105, CONTRACTS, TO INCREASE COMPETITIVE BIDDING THRESHOLD FR: \$15,000 TO \$25,000 IN COMPLIANCE W/OHIO HOUSE BILL 95. - JUDICIARY CMTE
435. TREASURER SCHIRACK: COMPARATIVE REPORT OF INCOME TAX CASH RECEIPTS AS OF 7/31/05. - RECEIVED & FILED
436. WEST, T., WARD 2 COUNCILMBR: REQUEST FOR LEGISLATION APPROVING A CANTON YOUTH CITY COUNCIL. - COUNCIL-OF-THE-WHOLE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMENDING O.253/2004 BY MAKING SUPPLEMENTAL APPROPRIATIONS (\$1,155,000, ETC), REDUCTIONS (\$101,416.84, ETC), & TRANSFERS (\$1,362,ETC) FROM VARIOUS FUNDS AS A RESULT OF CHANGES IN CERTIFICATES; EMERGENCY
Referred to Finance Cmte
- 1ST RDG 2. ESTABLISHING THE FAIR REUSE OF 1 PARCEL OF CITY OWNED PROPERTY LOCATED ON WARNER ROAD NE, & AUTHORIZING THE SALE & CONVEYANCE OF SAME TO VERNON CLINE PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY
Referred to Community & Economic Development Cmte
- 1ST RDG 3. ESTABLISHING THE FAIR MARKET VALUE OF 1 PARCEL OF CITY OWNED PROPERTY LOCATED ON HERT PLACE NW, & AUTHORIZING THE SALE & CONVEYANCE OF SAME TO HELEN DEPUY PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY
Referred to Community & Economic Development Cmte
- 1ST RDG 4. ESTABLISHING THE FAIR MARKET VALUE OF 1 PARCEL OF CITY OWNED PROPERTY LOCATED ON QUEEN COURT NW, & AUTHORIZING THE SALE & CONVEYANCE OF SAME TO ROBERTA J. ROGERS PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY
Referred to Community & Economic Development Cmte
- 1ST RDG 5. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO CONTRACT W/CANTON NEGRO OLDTIMERS ATHLETIC ASSN TO PROVIDE A \$21,000 CDBG TO PURCHASE ADDITIONAL PROPERTY FOR PARKING & DEVELOPMENT OF HOUSING FOR SENIORS & HANDICAPPED PERSONS; EMERGENCY.
Referred to Community & Economic Development and Finance Cmtes
- 1ST RDG 6. AUTHORIZING CANTON TO ANNEX 7.784 ACRES KNOWN AS THE CENTRAL ALLIED/HARMONT ANNEXATION AREA; ASSIGNING SAID TERRITORY TO WARD 6; ZONING SAID TERRITORY AS R-3; EMERGENCY. **PUB HRG 9/12/05 @ 7:32 PM**
Referred to Annexation Cmte
- 1ST RDG 7. AUTHORIZING DIRECTOR OF PUBLIC SAFETY TO ENTER INTO LEASE AGREEMENT W/CONCERNED CITIZENS OF 4TH WARD TO LEASE PORTION OF CITY OWNED PROPERTY @ 2000 3RD NE; EMERGENCY
Referred to Public Property Capital Improvement Cmte
- 1ST RDG 8. AUTHORIZING SAFETY DIRECTOR TO ACCEPT \$1,000 GRANT FROM OHIO DEPT OF PUBLIC SAFETY FOR EMERGENCY MEDICAL TRAINING & EQUIPMENT FOR THE FIRE DEPT; AMENDING O.253/2004 BY MAKING A \$1,000 SUPPLEMENTAL APPROPRIATION FROM THE 2812 EMS TRAINING & EQUIPMENT FUND; EMERGENCY
Referred to Marketing & Development Grant Cmte
- AMENDED**
175/2005* 9. DECLARING 24 BUILDINGS (505 BEDFORD NW, ETC) TO BE PUBLIC NUISANCES; AUTHORIZING SAFETY DIRECTOR TO CONTRACT FOR THEIR DEMOLITION; AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY DEMOLITION COSTS TO THE COUNTY AUDITOR; EMERGENCY
Referred to Community & Economic Development & Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING - CONTINUED:

- 1ST RDG 10. AUTHORIZING CLERK OF COUNCIL TO CERTIFY UNPAID & DELINQUENT CHARGES FOR WATER &/OR SEWER SERVICES TO THE COUNTY AUDITOR; EMERGENCY
Referred to Environmental & Public Utilities Cmte

***8:15-8:20 PM RECESS FOR COMMITTEE MEETING ON O#9, RETURNED TO THE AGENDA FOR ADOPTION.**

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#11 -17:**

- 2ND RDG 11. ADOPTING THE CITY OF CANTON'S PROPOSED TAX BUDGET FOR FISCAL YEAR ENDING 12/31/2006;

EMERGENCY. (Fin)

PUB HRG 8/22/05 @ 7:31 PM

2nd RDG 12. AN ORDINANCE APPROVING & ACCEPTING THE DEDICATION OF RIGHT OF WAY AT 4TH & FULTON NW AS REQUESTED BY THE CITY ENGINEER FOR TIMKEN CAMPUS WORK; EMERGENCY.

AMENDED**

174/2005 13. AMENDING ZONING O.55/77 BY REZONING 2716 MARKET AVENUE NORTH FROM R-1 TO PR-1 (PLANNED SINGLE FAMILY RESIDENTIAL) AS REQUESTED BY LLOYD & KATHLEEN HECKERT FOR A BED & BREAKFAST; EMERGENCY. **PUB HRG HELD 8/22/05 @ 7:30 PM**

2nd RDG 14. VACATING PART OF WELLS AVENUE SW BETWEEN WEST TUSC & 2ND STREET SW AS REQUESTED BY CHRIST PRESBYTERIAN CHURCH; EMERGENCY. **PUB HRG 9/12/05 @ 7:31 PM**

2nd RDG 15. AMENDING ZONING O.55/77 BY MAKING SEVERAL CHANGES TO THE OFFICIAL ZONING MAP AS PROPOSED BY THE CITY OF CANTON (15TH NW [KEMPTHORN], W. TUSC [DOWNTOWN FORD], 839 CLEVELAND NW [GANLEY L/M], 415 BELDEN SE [FIRE STA], SW CORNER 30TH & CLEVELAND, 2460 ATLANTIC BLVD NE [ATLANTIC POOLS], & SE CORNER 8TH & CORNELIA). **PUB HRG 9/12/05 @ 7:30 PM**

2nd RDG 16. AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO CONTRACT W/BELOIT FIRE DEPARTMENT FOR THE SALE OF 24 SECTIONS OF 3" HOSE NO LONGER NEEDED FOR MUNICIPAL PURPOSES IN AMOUNT OF \$60.00; EMERGENCY.

2nd RDG 17. APPROVING A WATER MAIN EXTENSION TO SOUTHWAY STREET SW IN PERRY TWP; AUTHORIZING THE SERVICE DIRECTOR TO CONTRACT FOR THE EXTENSION; EMERGENCY.

**** ADOPTED OUT OF SEQUENCE.****ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:**

176/2005 18. AMENDING CITY CODE SECTION 151.07, VACATIONS, RE: CASH PAYMENT OF BANKED VACATION FOR CITY EMPLOYEES.

177/2005 19. 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.

POSTPONED TO

9/12/05 20. 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.

178/2005 21. AUTHORIZING A CONTRACT AMENDMENT WITH AFSCME LOCAL 2937 & OHIO COUNCIL 8 RE: ARTICLE 2, RECOGNITION; ARTICLE 66, WAGE SCHEDULE; & ARTICLE 71, MISCELLANEOUS PROVISIONS; EMERGENCY.

179/2005 22. 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.

POSTPONED TO

9/12/05 23. 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.

180/2005 24. 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.

ANNOUNCEMENT OF COMMITTEE MEETINGS:**Monday, Sept. 12, 2005 @ 6:30 PM, Council Caucus Room**

1. Community & Economic Development Committee
2. Finance Committee
3. Annexation Committee
4. Public Property Capital Improvement Committee
5. Environmental & Public Utilities Committee
6. Marketing & Development Grant Committee

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): No Public Speakers

MISCELLANEOUS BUSINESS: None

ADJOURNMENT TIME: 8:40 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, SEPTEMBER 12, 2005 @ 7:30 PM