

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

OCTOBER 17, 2005

ROLL CALL: 11 Councilmembers present, 1 absent (Bernabei)
INVOCATION: Given by Ward 2 Councilmember Thomas E. West
PLEDGE OF ALLEGIANCE: Led by President of Council Ray Denczak.

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 24B to add Re#94; Suspended Rule 22A to add 1st Rdg O#3 & 2nd Rdg O#9-12; Adopted 1st Rdg O#3; 2nd Rdg O#13 retained in cmte)

PUBLIC HEARINGS: (None)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): One Public Speaker re: O#15

INFORMAL RESOLUTIONS:

- VICE PRESIDENT DONALD E. CASAR: EXCUSING MEMBER BERNABEI
91. BABCOCK, MEMBER-AT-LARGE: COMMENDING 2005 FIREFIGHTER OF THE YEAR CAPTAIN MICHAEL URICK. - POSTPONED TO 10/24/05
92. COUNCIL-AS-A-WHOLE: COMMENDING COUNCILMEMBER DAVID R. DOUGHERTY FOR HIS DEDICATION EACH YEAR TO COUNCIL'S ANNUAL FREE PICNIC FOR THOSE IN NEED. - ADOPTED
93. COUNCIL-AS-A-WHOLE: COMMENDING BENNY MAX & SPYKE JONES FOR VOLUNTEERING THEIR TIME & TALENTS AT CITY COUNCIL'S ANNUAL FREE PICNIC FOR THOSE IN NEED. - ADOPTED

SUSPENDED RULE 24B TO ADD RE#94

94. PERSONNEL COMMITTEE: CONFIRMING THE MAYOR'S APPOINTMENT OF LUIS RODRIGUEZ TO THE FAIR HOUSING COMMISSION TO REPLACE RESIGNING MEMBER LARRY LANHAM FOR THE CURRENT TERM EXPIRING 8/31/09 - ADOPTED
See C#490
95. ZACHARY, WARD 4 CNCLMBR: COMMENDING MARIAN CRENSHAW FOR 50 YEARS OF EDUCATION & SERVICE. - ADOPTED

COMMUNICATIONS:

480. AUDITOR MALLONN: MONTHLY REPORT BY FUND FOR 9/1/05 - 9/30/05. - RECEIVED & FILED
481. AUDITOR MALLONN: YEARLY REPORT BY FUND FOR 1/1/05 - 9/30/05. - RECEIVED & FILED
482. CD & PLANNING DIR. POORMAN: REQUESTING LEGISLATION AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH THE CANTON COMMUNITY IMPROVEMENT CORP (CCIC) TO PROVIDE A \$445,000 GRANT UTILIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR GRANTS, LOANS, & ADMINISTRATIVE COSTS. - COMM & ECON DEV & FIN CMTE
483. CD & PLANNING DIR. POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE DIRECTOR TO CONVEY PARCEL #02-37274 LOCATED ON 10TH ST NE TO THE CCIC IN THE AMOUNT OF \$1.00. - COMM & ECON DEV CMTE
484. CHIEF OF STAFF/FIN. DIR. ALLEN: REQUESTING SUPPLEMENTAL APPROPRIATIONS IN THE AMOUNT OF \$37,000 & \$20,000, & TRANSFER IN THE AMOUNT OF \$20,000 FOR FIRE DEPARTMENT VEHICLE REPAIRS & CIVIL SERVICE WAGES & POLICE TEST COSTS. - FINANCE CMTE
485. HAWK, WARD 1 COUNCILMEMBER: REQUESTING LEGISLATION DECLARING PARCEL #02-29043 LOCATED AT 601 NEWTON AVE NW A PUBLIC NUISANCE & REQUESTING THE SAFETY DIRECTOR TO ENTER INTO CONTRACT FOR DEMOLITION OF SAME. - COMM & ECON DEV & FIN CMTE
486. HEALTH BENEFITS ADMIN. BRESSON: SEPT. 2005 MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JAN-SEPT PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED

COMMUNICATIONS CONTINUED:

487. HEALTH COMMISSIONER PATTISON: CANTON HEALTH BOARD HAS RECEIVED A \$232,168 PUBLIC HEALTH INFRASTRUCTURE GRANT FROM THE OHIO DEPT. OF HEALTH; REQUEST

\$80,000 SUPPLEMENTAL APPROPRIATION FROM THE 2328 PHI FUND. - FINANCE CMTE

488. HEALTH COMMISSIONER PATTISON: CANTON HEALTH BOARD HAS RECEIVED AN \$890,279 WOMEN, INFANTS, CHILDREN (WIC) GRANT FROM THE OHIO DEPT. OF HEALTH; REQUEST \$222,500 SUPPLEMENTAL APPROPRIATION FROM THE 2316 WIC FUND. - FINANCE CMTE
489. LIQUOR CONTROL DIVISION (OHIO): NOTICE THAT THE HEARING SCHEDULED FOR 10/17/05 ON OBJECTION TO ISSUANCE OF NEW C1,2,D6 LIQUOR PERMIT AS REQUESTED BY SPEE D FOODS, d b a SPEE D. FOODS #26, 1735 CLEVELAND AVE NW, HAS BEEN CONTINUED. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
490. MAYOR CREIGHTON: REQUESTING CONFIRMATION OF APPOINTMENT OF LUIS R. RODRIGUEZ TO THE FAIR HOUSING COMMISSION FOR THE EXISTING TERM WHICH EXPIRES ON 8/31/09 TO REPLACE RESIGNING MEMBER LARRY LANHAM, JR. - PERSONNEL CMTE See Re#94
491. MAYOR CREIGHTON: SUBMITTING NEGOTIATED CHANGES TO WAGE & HEALTH BENEFIT PREMIUM DEDUCTION RE-OPENER BETWEEN CITY OF CANTON, AFSCME LOCAL 2937 & AFSCME OHIO COUNCIL 8 & TENTATIVE AGREEMENTS REGARDING SAME. - PERSONNEL CMTE
492. PLANNING COMMISSION: SUBMITTING RECOMMENDATIONS FOR CITY-WIDE ZONING MAP AMENDMENTS AS PROPOSED BY THE PLANNING COMMISSION. - JUDICIARY CMTE **PUB HRG 11/14/05 @ 7:30 PM**
493. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REPLAT OF LOT 41821 IN THE 700 BLOCK OF MARKET AVE S IN CONJUNCTION WITH THE FEDERAL CAMPUS PROJECT. - PUBLIC SAFETY & THOROUGHFARES CMTE
494. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REPLAT OF LOT 1654 & PART OF LOT 1655 ON 8TH STREET SW BETWEEN UNION & SHORB SW AS REQUESTED BY HABITAT FOR HUMANITY. - PUB SAFETY & THOROUGHFARES CMTE
495. PLANNING COMMISSION: RECOMMENDING APPROVAL OF DEWALT AVE NW VACATION FROM 6TH ST NW NORTH 145' AS REQUESTED BY JOHN P. PICARD IN CONJUNCTION WITH THE RENOVATION OF THE NW CORNER OF 6TH ST & CLEVELAND AVE. - PUBLIC SAFETY & THOROUGHFARES CMTE
496. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REPLAT OF OUTLOT 743 LOCATED AT THE NE CORNER OF 44TH ST NW & DAWN RIDGE CIR NW AS REQUESTED BY COOPER & ASSOC FOR RICHARD & MARLENE WATKINS. - PUBLIC SAFETY & THOROUGHFARES CMTE
497. PLANNING COMMISSION: RECOMMENDING APPROVAL OF 10TH ST NE VACATION BETWEEN PAYNE COURT & WARNER AVE NE AS REQUESTED BY JOHN P. PICARD FOR STARK METROPOLITAN HOUSING AUTHORITY. - PUBLIC SAFETY & THOROUGHFARES CMTE
498. POLICE CHIEF MCKIMM: SUBMITTING CANTON POLICE DEPARTMENT'S ANNUAL REPORT OF ACTIVITIES FOR THE YEAR 2004. - RECEIVED & FILED
499. PRESIDENT OF COUNCIL DENCZAK: URGING COUNCIL NOT TO CHANGE THEIR RULES OF PROCEDURE REGARDING GIVING OF THE INVOCATION. - RECEIVED & FILED
500. SERVICE DIRECTOR CONCATTO: REQUESTING LEGISLATION AMENDING CHAPTER 105, CONTRACTS, PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES TO INCREASE THE COMPETITIVE BIDDING THRESHOLD FOR MUNICIPAL CONTRACTS FOR THE PURCHASE OF SUPPLIES & SERVICES FROM \$15,000 TO \$25,000. - JUDICIARY & FINANCE CMTE
501. SERVICE DIRECTOR CONCATTO: REQUESTING LEGISLATION TO ACCEPT A \$1,000 GRANT FROM THE CANTON/STARK COUNTY CONVENTION & VISITOR'S BUREAU ON BEHALF OF THE CANTON CIVIC CENTER FOR PROMOTION & MARKETING OF LOCAL PROJECTS. - FINANCE CMTE

COMMUNICATIONS CONTINUED:

502. TREASURER SCHIRACK: TREASURER'S OFFICE BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 9/30/05. - RECEIVED & FILED
503. TREASURER SCHIRACK: COMPARATIVE REPORT OF DEPOSITS TO THE AMBULANCE LOCK BOX ACCOUNT FOR MONTH OF SEPTEMBER 2005. - RECEIVED & FILED
504. TREASURER SCHIRACK: COMPARATIVE REPORT OF INCOME TAX CASH RECEIPTS AS OF 9/30/05. -

RECEIVED & FILED

505. TREASURER SCHIRACK: COMPARATIVE REPORT OF PARKING METER REVENUE FOR THE MONTH OF SEPT. 2005. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMENDING SECTIONS 503.04, COMPULSORY SCHOOL ATTENDANCE; PARENTAL DUTY IMPOSED, & 503.99, PENALTY, OF THE CANTON CODIFIED ORDINANCES.
Referred to Judiciary Committee
- 1ST RDG 2. AUTHORIZING MAYOR TO FILE A 2006 CONSOLIDATED PLAN WITH U.S. DEPT OF HOUSING & URBAN DEVELOPMENT (HUD) FOR THE 2006 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, 2006 HOME INVESTMENT PARTNERSHIP PROGRAM & 2006 EMERGENCY SHELTER GRANT PROGRAM; RATIFYING SUBMISSION & FILING OF SAID PLAN; AND AUTHORIZING MAYOR TO EXECUTE GRANT AGREEMENTS WITH HUD & TO ACCEPT FUNDING FOR SAME; EMERGENCY.
Referred to Community & Economic Development Committee
- 207/2005*** 3. ADOPTING & LEVYING SPECIAL ASSESSMENTS FOR FUNDING OF THE PUBLIC SERVICE PLAN OF THE DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; EMERGENCY.
Referred to Community & Economic Development Committee
- 1ST RDG 4. AMENDING SECTION 123.05, TRAVEL EXPENSES, GENERALLY, OF THE CANTON CODIFIED ORDINANCES TO INCREASE MILEAGE PAYMENT TO EMPLOYEES USING PRIVATE VEHICLES FOR CITY BUSINESS FROM \$.37 TO \$.485 PER MILE.
Referred to Judiciary and Finance Committees
- 1ST RDG 5. VACATING PORTION OF GROVE PL SW BETWEEN PARK & GREENFIELD AVES AS REQUESTED BY MARK & GEORGIANNE FINNICUM; EMERGENCY. **PUBLIC HEARING OCT. 31, 2005 @ 7:30 PM**
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 6. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO CONTRACTS WITH OHIO POWER CO FOR ELECTRIC ENERGY TO WPCC, SUGARCREEK WATER FIELD, HARRISBURG RD NE WATER FIELD & CITY HALL BLDG; EMERGENCY.
Referred to Environmental & Public Service and Finance Committees
- 1ST RDG 7. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A CONTRACT AMENDMENT W/COMPANAGEMENT, INC. FOR WORKERS' COMPENSATION ADMINISTRATIVE SERVICES; EMERGENCY.
Referred to Finance Committee
- 1ST RDG 8. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO A SUPPLEMENTAL SEWER AGREEMENT WITH STARK COUNTY FOR CONVEYANCE OF SANITARY SEWERS FOR ANNEXED AREAS IN THE CITY; EMERGENCY.
Referred to Intergovernmental & Public Service and Finance Committees

*** Council recessed from 8:00 PM to 8:02 PM for a committee meeting on O#3, returned to the agenda for adoption.**

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#9-12:**

- 2ND RDG 9. AMENDING CODIFIED ORDINANCE PART 11, PLANNING & ZONING CODE, FOR TEXT CHANGES TO THE ZONING ORDINANCE (SECTION 1123.142, 'COMMERCIAL PARKING LOT', & ETC). (Jud)
PUB HRG 10/24/05 @ 7:30 PM
- 2ND RDG 10. AMENDING O.253/2004 BY MAKING A \$1,168 SUPPLEMENTAL APPROPRIATION FROM 2812 EMS TRAINING & EQUIPMENT FUND FOR THE FIRE DEPT; EMERGENCY. (Fin)
- 2ND RDG 11. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$33,448.48 CHANGE ORDER #4 W/SUPERIOR PAVING & MATERIALS FOR ADDITIONAL EXPENSES IN THE 44TH STREET NE IMPROVEMENT PROJECT; EMERGENCY. (Fin)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 12. APPROVING A WATER MAIN EXTENSION TO STERLING RIDGE ALLOTMENT IN PERRY TWP; AUTHORIZING THE SERVICE DIRECTOR TO CONTRACT FOR THE EXTENSION; EMERGENCY. (E&PU)
- RETAINED IN CMTE** 13. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO COOPERATIVE AGREEMENT W/STARK COUNTY ENGINEER &/OR STARK COUNTY COMMISSIONERS FOR CANTON CITY PROPERTY EASEMENTS IN THE COLUMBUS ROAD/HARMONT AVENUE NE INTERSECTION IMPROVEMENT PROJECT; EMERGENCY. (PPCI and Fin)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- 208/2005** 14. 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.

- 209/2005** 15. ESTABLISHING A \$1,000 FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY LOCATED ON RAYNOLDS PL SW; AUTHORIZING SALE & CONVEYANCE OF SAID PROPERTY TO FRANCES BRATCHER PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY.
- 210/2005** 16. RESOLUTION ADOPTING A RESIDENTIAL ANTI-DISPLACEMENT & RELOCATION POLICY FOR THE CITY OF CANTON TO PROTECT PERSONS DISPLACED AS A RESULT OF FEDERALLY ASSISTED PROJECT OR PROGRAM; EMERGENCY.
- 211/2005** 17. APPROVING & ACCEPTING REPLATTING OF ALL OF LOTS 30824, 30825 & 30826 AS REQUESTED BY THE HUNTER & JACOBS FAMILIES TO ALLOW 1122 BENSKIN SW MORE ROOM FOR A DRIVEWAY; EMERGENCY.
- 212/2005** 18. APPROVING & ACCEPTING THE REPLATTING OF OUTLOT 725 INTO TWO RECONFIGURED LOTS LOCATED ON THE WEST SIDE OF FRAZER AVE NW IN THE 3500/3600 BLOCK AS REQUESTED BY T&K CAMPBELL; EMERGENCY.
- 213/2005** 19. AUTHORIZING CITY AUDITOR TO PAY \$30,900 MORAL OBLIGATION TO R.G. SMITH FOR REPAIR OF APPARATUS FLOOR @ FIRE STATION #4; EMERGENCY.
- 214/2005** 20. AUTHORIZING MAYOR TO SUBMIT THE NECESSARY APPLICATIONS TO THE DIRECTOR OF OHIO PUBLIC WORKS COMMISSION AND TO EXECUTE CONTRACT FOR CURRENT STATE CAPITAL IMPROVEMENT & LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS FUNDING FOR CAPITAL IMPROVEMENT PROJECTS; EMERGENCY.
- 215/2005** 21. RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE SIRPILLA ANNEXATION AREA UPON ITS BEING ANNEXED INTO THE CITY OF CANTON; EMERGENCY.

ANNOUNCEMENT OF COMMITTEE MEETINGS:

Monday, October 24, 2005 @ 6:15 PM, Council Caucus Room

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

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

MISCELLANEOUS BUSINESS: Prater: motion to allow Barbara Kope to speak; West re: paving McKinley Ave; Hart re: closing of Nova & help for those without services; Zachary thanks NAVE

ADJOURNMENT TIME: 8:41 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 24, 2005 @ 7:30 PM