

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

APRIL 10, 2006

ROLL CALL: 11 Councilmembers present, Joe Carbenia absent
INVOCATION: Given by Majority Leader Don Casar
PLEDGE OF ALLEGIANCE: Led by President of Council Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#8-#14, Suspended Rule 22A to add Communication #213, Suspended Rule 24B to add Resolution #45)

PUBLIC HEARINGS:

7:30PM A REQUEST BY STEPHEN D. SLESNICK, SIRMCO INC. TO VACATION OF 13TH STR. SE FROM HARTFORD AVE. SE, EASTWARD TO ITS END AT WHEELING LAKE ERIE RAILROAD; AN UNNAMED ALLEY NORTH OF 13TH STR SE & HARTFORD, EAST FROM HARTFORD AVE. TO ANOTHER UNNAMED ALLEY; & THE FIRST UNNAMED ALLEY EAST OF HARTFORD AVE. SE, NORTH FROM 13TH STR SE TO ITS END AT THE WHEELING & LAKE ERIE RAILROAD PROPERTY. RECOMMENDED BY CITY PLANNING COMMISSION.
(Two speakers) (See 3rd Rdg. O#56)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY):

INFORMAL RESOLUTIONS:

VICE PRESIDENT DONALD E. CASAR: EXCUSING MEMBER JOE CARBENIA

RULE 24B SUSPENDED TO ADD R#45. - RETAINED IN COMMITTEE

45. ENVIRONMENTAL & PUBLIC UTIL.: COUNCIL RECOMMEND SANITATION RATE

COMMUNICATIONS: **RULE 22A SUSPENDED TO ADD C#213**

194. AUDITOR MALLONN: MONTHLY REPORT BY FUND 3/1/06 - 3/31/06. - RECEIVED & FILED

195. AUDITOR MALLONN: YEARLY REPORT BY FUND 3/1/06- 3/31/06. - RECEIVED & FILED

196. CIRELLI, MARY, COUNCIL AT LARGE: URGING COUNCILMEMBERS & ADMINISTRATION TO GET INVOLVED BY OBJECTING IN THE COURTS AGAINST PAYING MUSKINGUM WATERSHED CONSERVANCY DISTRICT ASSESSMENT. - RECEIVED & FILED

197. LAW DIRECTOR MARTUCCIO: REQUEST AUTHORIZATION TO PREPARE ORDINANCE AUTHORIZING MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO "NON-DISTURBANCE & ESTOPPEL AGREEMENT" W/& BETWEEN OHIO CULTURAL FACILITIES CMSN. & NATIONAL FOOTBALL MUSEUM. - PUBLIC PROPERTY CAPITAL IMPROVEMENT

198. LIQUOR CONTROL DIVISION (OHIO): TRANSFER LIQUOR LICENSE DBA HUDAKS TAVERN FROM DANIEL MCCANCE TO ANGELA NEWMAN (D5). - INTERGOVERNMENTAL & PUBLIC SERVICE

199. L I Q U O R C O N T R O L D I V I S I O N (O H I O) :
NEW LIQUOR PERMIT FOR EL GALERON GRILL & MEXICAN RESTAURANT @ 1916 CLEVELAND NW (D5I). - INTERGOVERNMENTAL & PUBLIC SERVICE

200. LIQUOR CONTROL DIVISION (OHIO): GOLFERS & HACKERS, INC. @ 2001 KIMBALL RD. SE; APPLICATION HAS BEEN CONTINUED, WILL NOTIFY OF NEW HEARING DATE. - INTERGOVERNMENTAL & PUBLIC SERVICE

201. MAYOR CREIGHTON: REQUESTING REAPPOINTMENT OF JOYCE ZACHARY TO HOUSING ADVISORY BOARD FOR TWO-YEAR TERM EFFECTIVE 3/1/06 - 2/28/08. - PERSONNEL

202. MAYOR CREIGHTON: REQUESTING REAPPOINTMENT OF SUE FOWLER TO HOUSING ADVISORY BOARD FOR TWO-YEAR TERM EFFECTIVE 3/1/06 - 2/28/08. - PERSONNEL

203. MAYOR CREIGHTON: REQUESTING REAPPOINTMENT OF JOHN RING TO HOUSING ADVISORY BOARD FOR TWO-YEAR TERM EFFECTIVE 3/1/06 - 2/28/08. - PERSONNEL

204. SAFETY DIRECTOR HUNT: REQUEST TO ENTER INTO CONTRACT W/FINLEY FIRE EQUIPMENT CO. FOR PURCHASE OF TURNOUT GEAR IN AMOUNT NOT TO EXCEED \$30,000.00 FOR CANTON FIRE DEPT. - PPCI & FINANCE CMTES.

COMMUNICATIONS CONTINUED:

205. SERVICE DIRECTOR CONCATTO: REQUEST AUTHORIZATION FOR MAYOR/DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT W/CANTON SYMPHONY ORCHESTRA ASSOC. FOR 2006 "CONCERT IN THE PARK" IN AMOUNT NOT TO EXCEED \$41,400.00. - C & ED. & FIN. CMTES.

206. SERVICE DIRECTOR CONCATTO: REQUEST TO AUTHORIZE DIRECTOR OF PUBLIC SERVICE TO ENTER

- INTO PROFESSIONAL SERVICES CONTRACT W/CAREMARK INC. - FINANCE
207. TREASURER SCHIRACK: DEPOSITS & PAYINS FOR MONTH OF MARCH 2006 FOR AMBULANCE LOCK BOX ACCOUNT. - RECEIVED & FILED
208. TREASURER SCHIRACK: MARCH 2006 PARKING METER REVENUE. - RECEIVED & FILED
209. TREASURER SCHIRACK: BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 2/28/06. - RECEIVED & FILED
210. TREASURER SCHIRACK: BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 3/31/06. - RECEIVED & FILED
211. WORHATCH, DAVID, ATTRY.: REBUTTAL TO COMMUNICATION #193, 4/3/06 AGENDA. - RECEIVED & FILED
212. ZACHARY, KELLY, WARD 4: WITHDRAWING OBJECTION TO HALL OF FAME MARKET @ 704 COUNCILMEMBER SHERRICK RD. NE LIQUOR LICENSE RENEWAL BASED ON COOPERATION AGREEMENT. - INTERGOVERNMENTAL & PUBLIC SERVICE
213. SMUCKLER, BILL, COUNCILATLARGE:REQUEST TO INITIATE ORDINANCE FOR DIANO STATEMENT OF (ADDED & REMOVED) SERVICES FOR PROPERTY TO BE ANNEXED. - ANNEXATION

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZING THE MAYOR TO ENTER INTO AMENDED ENTERPRISE ZONE AGREEMENT W/BROWNSTONE DEVELOPERS; EMERGENCY
Referred to Community & Economic Development
- 1ST RDG 2. AMENDING ORDINANCE 55/77, AS AMENDED KNOWN AS CITY OF CANTON ZONING ORDINANCE (115 DEWALT AVE. NW); EMERGENCY
Referred to Judiciary
- 1ST RDG 3. AMENDING APPROPRIATION ORDINANCE NO. 1/2006, AS AMENDED BY MAKING \$15,000.00 SUPPLEMENTAL APPROPRIATIONS REDUCTION OF APPROPRIATION & INTERFUND TRANSFERS; EMERGENCY
Referred to Community & Economic Development & Finance Cmtes.
- 1ST RDG. 4. AUTHORIZING DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT NOT TO EXCEED \$50,000.00 FOR PURCHASE & INSTALLATION OF SECURITY SYSTEM FOR 9 FIRE STATIONS; EMERGENCY
Referred to Public Property Capital Improvement & Finance Cmtes.
- 1ST RDG. 5. AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT NOT TO EXCEED \$30,000.00 FOR REPAIR OF NORTH DRIVEWAY & FIRE PUMP TEST PAD;EMERGENCY
Referred to Public Property Capital Improvement & Finance Cmtes.
- 1ST RDG. 6. AMENDING APPROPRIATION ORDINANCE NO. 1/2006 AS AMENDED, MAKING VARIOUS SUPPLEMENTAL APPROPRIATIONS;EMERGENCY
Referred to Community & Economic Development & Finance Cmtes.
- 1ST RDG . 7. AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT W/MOTTER & MEADOWS TO PREPARE PLANS & SPECS FOR RENOVATION OF CIVIC CNTR. RESTROOMS & AUTHORIZING DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR RENOVATION OF RESTROOMS;EMERGENCY
Referred to Public Property Capital Improvement & Finance Cmtes.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

SUSPENDED RULE 22A TO ADD O#8-14:

- 2ND RDG 8. TERMINATING REAL ESTATE & PERSONAL PROPERTY TAX EXEMPTIONS FOR COLLINS & AIKMAN ACCESSORY MATS, INC. IN ACCORDANCE WITH THE ENTERPRISE ZONE AGREEMENT; EMERGENCY
C&E Dev. Cmte
- 2ND RDG 9. TERMINATING REAL ESTATE & PERSONAL PROPERTY TAX EXEMPTIONS FOR POWDER INNOVATIONS, INC. IN ACCORDANCE WITH THE ENTERPRISE ZONE AGREEMENT; EMERGENCY
C&E Dev. Cmte
- 2ND RDG 10. APPROVING & ACCEPTING FINAL RECORD PLAT OF WILLOW PARK SUBDIVISION #1; EMERGENCY
PS&T Cmte.

- 2ND RDG 11. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO FILE APPLICATION IN THE CLEAN OHIO ASSISTANCE FUND, TO APPLY FOR FINANCIAL ASSISTANCE, ADMINISTER FUNDS RECEIVED AND ENTER INTO CONTRACT NOT TO EXCEED THE AMOUNT OF GRANT MONIES FOR PROFESSIONAL SERVICES WITH THE STATE OF OHIO; EMERGENCY
C&E Dev. Cmte.
- 2ND RDG 12. AUTHORIZING PAYMENT OF \$17,970 MORAL OBLIGATION TO CT CONSULTANTS FOR CHIEF BUILDING OFFICIAL AND PLANS REVIEW DUTIES; EMERGENCY
Fin. Cmte.
- 2ND RDG 13. ESTABLISHING FAIR MARKET VALUE OF \$109,000 FOR REAL PROPERTY IN CONJUNCTION WITH THE FEDERAL CAMPUS PROJECT PROJECT, GP 1070 & AUTHORIZING SERVICE DIRECTOR TO NEGOTIATE & PURCHASE SAID PARCELS AT THE ESTABLISHED FAIR MARKET VALUES; EMERGENCY.
PPCI & Fin. Cmtes
- 2ND RDG 14. AUTHORIZING SERVICE AND/OR SAFETY DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT TO PURCHASE VARIOUS MOTOR VEHICLES & EQUIPMENT FOR VARIOUS CITY DEPARTMENTS; AUTHORIZING SERVICE AND/OR SAFETY DIRECTOR TO PURCHASE VEHICLES & EQUIPMENT PURSUANT TO ORC. SEC. 125.04 & 5513.01; EMERGENCY
PPCI & Fin. Cmtes.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING AND VOTE:

- 56/2006 15. VACATING A PORTION OF 13TH STREET SE, AN UNNAMED 20' ALLEY NORTH OF 13TH, & AN UNNAMED 15' ALLEY EAST OF HARTFORD SE AS REQUESTED BY STEPHEN D. SLESNICK OF SIRMCO; EMERGENCY
PUB HRG 4/10/06 @ 7:30PM
- 57/2006 16. AMENDING ORDINANCE NO. 16/2004 TO INCLUDE LANGUAGE THAT THE AMOUNT IS NOT TO EXCEED THE AMOUNT AWARDED TO THE CITY BY THE OHIO DEPARTMENT OF DEVELOPMENT RE: BISON PROJECT; EMERGENCY
- 58/2006 17. AMENDING ORDINANCE NO. 218/2004 TO INCLUDE LANGUAGE THAT THE AMOUNT IS NOT TO EXCEED THE AMOUNT AWARDED TO THE CITY BY THE OHIO DEPARTMENT OF DEVELOPMENT RE: STEIN PROPERTY PROJECT; EMERGENCY
- 59/2006 18. APPROVING & ACCEPTING THE REPLATTING OF LOTS 3012, 42520 & 42521 AS REQUESTED BY 618 HIGH AVENUE CORPORATION LOCATED 1 LOT SOUTH OF THE NE CORNER OF ZIMMER CT & HIGH AVENUE NW; EMERGENCY
- 60/2006 19. APPROVING & ACCEPTING THE REPLATTING OF LOT 42547 REQUESTED BY THE CITY OF CANTON LOCATED IN THE 700 BLOCK OF MARKET AVENUE SOUTH; EMERGENCY
- 61/2006 20. APPROVING & ACCEPTING THE REPLATTING OF LOTS 22669-22671 AS REQUESTED BY HABITAT FOR HUMANITY (COOPER & ASSOCIATES) LOCATED AT THE NORTHWEST CORNER OF 8TH & HENRIETTA NE; EMERGENCY
- 62/2006 21. APPROVING & ACCEPTING THE REPLATTING OF PARTS OF LOTS 6259 & 6260 REQUESTED BY HABITAT FOR HUMANITY (COOPER & ASSOCIATES) LOCATED ON 5TH STREET NE BETWEEN JOBE COURT & WOODROW; EMERGENCY
- 63/2006 22. APPROVING & ACCEPTING THE REPLATTING OF PARTS OF LOTS 32539-32543 REQUESTED BY COMMUNITY CHURCH OF MARKET HEIGHTS LOCATED IN THE 3100 BLOCK OF MARKET AVENUE NORTH; EMERGENCY

THIRD READINGS CONTINUED:

- 64/2006 23. APPROVING & ACCEPTING THE DEDICATION, W/VARIANCE, FOR APPROXIMATELY 1700 FEET OF GREENTREE AVENUE SW AS REQUESTED BY NEW DAWN DEVELOPMENT; EMERGENCY
- 65/2006 24. AUTHORIZING THE CITY AUDITOR TO PAY A \$51,818 MORAL OBLIGATION TO HOWELL RESCUE SYSTEMS INC FOR EMERGENCY REPAIRS TO THE HYDRAULIC RESCUE TOOLS ON TOWER 8, VEHICLE #695; EMERGENCY
- 66/2006 25. AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT W/OHIO POWER IN AMOUNT NOT TO EXCEED \$37,226.62 FOR THE RELOCATION OF ALL REQUIRED POLES & DISTRIBUTION ON WELLS AVENUE SW & 4TH STREET SW IN CONJUNCTION WITH THE RELOCATION ON THE DUNLAP/CARNEY HISTORICAL HOUSES IN THE FEDERAL CAMPUS PROJECT; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, APRIL 17, 2006 Council Caucus Room @ 5:45 PM
1. Environmental & Public Utilities

MONDAY, APRIL 17, 2006 Council Caucus Room @ 6:15PM

1. Community & Economic Development
2. Public Property Capital Improvement
3. Personnel
4. Finance
5. Public Safety & Thoroughfare

MONDAY, APRIL 17, 2006 Council Caucus Room @ 6:35PM

1. Judiciary

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): #1 - Veronica Callahan, re: Neighborhood Association Group inviting Council to meeting, Dan Phillips, re: Food Vendors, Leon Cote, re: Thanking administration and Council for good job in City, Maryellen Hess, Ican project, Jennifer Kliner, re: Water department complaint.

MISCELLANEOUS BUSINESS: Member Zachary, re: Nave, Member Smuckler, re: invitation to Charter Council meeting, Member Cirelli, re: thanking Nave, Member West, re: thanking Nave, Member Griffin, re: caution light in front of Mayfield Center

ADJOURNMENT TIME: 8:30pm

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, APRIL 17, 2006 @ 7:30PM