

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

JULY 10, 2006

ROLL CALL: 10 Councilmembers Present, 2 Absent (Joe Carbenia and Kelly Zachary)

INVOCATION: Given by David Dougherty, Ward 6 Council Member

PLEDGE OF ALLEGIANCE: Led by Council President Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2ND Rdg O#12-16; Suspended Rule 22B to adopt 2nd Rdg O#12 and 14; Suspended Rule 24D to add RE#59)

PUBLIC HEARINGS:

- 7:30 PM AN ORDINANCE ADOPTING THE CITY OF CANTON'S PROPOSED TAX BUDGET FOR FISCAL YEAR ENDING 12/31/2007; AND DECLARING THE SAME TO BE AN EMERGENCY. (See 2nd Rdg O#12)
- 7:31 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY. (Canton Preservation Society); ASSIGNING TO WARD 3; ZONING SAME AS PB-1 PLANNED OFFICE BUSINESS. (PLANNING COMMISSION RECOMMENDED APPROVAL) (2 Public Speaks re: O#18) (See 3rd Rdg O#18)
- 7:32 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY. (3912 Mahoning Rd NE); ASSIGNING TO WARD 6; ZONING SAME AS PI-1. (PLANNING COMMISSION RECOMMENDED APPROVAL) (0 Public Speaks re: O#19) (See 3rd Rdg O#19)
- 7:33 PM AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY. (City of Canton); ZONING SAME AS I-2, B-3 AND R-3. (PLANNING COMMISSION RECOMMENDED APPROVAL) (See 3rd Rdg O#20) (0 Public Speaks re: O#20)
- 7:34 PM AN ORDINANCE VACATING A PORTION OF HOPE COURT S.E.; AND DECLARING THE SAME TO BE AN EMERGENCY. (First Mennonite Church); ASSIGNING TO WARD 4; (PLANNING COMMISSION RECOMMENDED APPROVAL) (0 Public Speaks re: O#21) (See 3rd Rdg O#21)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): (none)

INFORMAL RESOLUTIONS:

VICE PRESIDENT DONALD E CASAR: EXCUSING MEMBERS CARBENIA AND ZACHARY

SUSPENDED RULE 24D TO ADD RE#59

59. CASAR, D. CNCL-AT-LARGE & CARBENIA, J. WARD 9 COUNCILMBR: RECOMMENDING THE CITY TO CONSIDER THE ESTABLISHMENT OF AN ANIMAL CONTROL OFFICE AND ANIMAL CONTROL OFFICER/S. - ADOPTED
60. COUNCIL-OF-THE-WHOLE: COMMENDING THE CANTON LEGENDS, OWNERS JOE HOFFMAN & PAUL CIPAR & HEAD COACH BOBBY OLIVE FOR THEIR WINNING SEASON. - ADOPTED

COMMUNICATIONS:

322. AUDITOR MALLONN: REQUEST TO AMEND O.174/83 RE: CITY'S HEALTH & LIFE SELF INSURANCE FUND STRIKING FINAL SENTENCE OF SECTION 1 IN ACCORDANCE W/ORC & FEDERAL REGULATIONS. - PERSONNEL COMMITTEE
323. AUDITOR MALLONN: SUBMITTING YEARLY REPORT BY FUND THRU 6/30/06. - RECEIVED & FILED
324. AUDITOR MALLONN: SUBMITTING MONTHLY REPORT BY FUND THRU 6/30/06. - RECEIVED & FILED
325. CD & PLANNING DIR. POORMAN: REQUEST AUTHORIZATION FOR MAYOR AND/OR SERVICE DIR TO MAKE APPLICATION FOR PHASE II ASSESSMENT CLEAN OHIO ASSISTANCE FUNDS AND TO ACCEPT SUCH FUNDS FOR FORMER CANTON DROP FORGE @ MARKET AVE., S & 11TH ST. SE - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
326. DUTTON, J., STARK. CTY. ADMIN.: INFORMING OF UPGRADE TO STARK CO. EMERGENCY SYSTEM PROVIDING ENHANCED WIRELESS 9-1-1 SERVICE FOR CELL PHONES; RECOMMENDING TONI MIDDLETON TO FILL 'AT LARGE' MAYOR POSITION ON PLANNING COMMISSION & REQUESTING APPROVAL. - PERSONNEL COMMITTEE

COMMUNICATIONS - CONTINUED:

327. HEALTH BENEFITS ADMIN., BRESSON: JAN-JUNE 2006 MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS. - RECEIVED & FILED
328. HEALTH COMMISSIONER, PATTISON: REQUEST TO APPROPRIATE \$5000.00 OF UNAPPROPRIATED FUNDS FROM 2328 FUND TO 2328 PHI FUND. - FINANCE COMMITTEE
329. LAW DIRECTOR MARTUCCIO: REQUEST AUTHORIZATION FOR LEGISLATION RE: SALARY ADJUSTMENTS TO ATTORNEYS, MANAGEMENT & NON-BARGAINING

UNIT STAFF IN THE CANTON LAW DEPT. - PERSONNEL COMMITTEE

330. LIQUOR CONTROL DIVISION(OHIO): REQUEST TRANSFER OF OWNERSHIP OF C2 C2X LIQUOR PERMIT FR: JOHN'S CARRI OUT INC TO BELLA 7 LLC dba MAGGIORES DRIVE THRU 15 @ 1037 DUEBER AVE., SW. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
331. LIQUOR CONTROL DIVISION (OHIO): REQUEST SPECIAL TRANSFER OF OWNERSHIP OF D2 D2X LIQUOR PERMIT FR: IKON INC. TO SPEEDWAY SUPERAMERICA LLC dba MARATHON6234 @ 2331 FAIRCREST ST SW. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
332. MAYOR CREIGHTON: REQUEST REAPPOINTMENT OF CURTIS WERREN TO CANTON PLANNING COMMISSION FOR SIX-YEAR TERM EFFECTIVE 7/1/06 - 6/30/12. - PERSONNEL COMMITTEE - **ADOPTED**
333. MAYOR CREIGHTON: REQUEST AUTHORIZATION TO APPOINT RICHARD WATKINS TO SERVE ON THE INCOME TAX BOARD OF REVIEW FROM JULY 1, 2006 THROUGH FEBRUARY 28, 2009. - PERSONNEL COMMITTEE
334. SAFETY DIRECTOR HUNT: REQUEST TO AUTHORIZE A \$1,030 SUPPLEMENTAL APPROPRIATION FR: THE 2111 STREET MAINTENANCE ACC'T. TO PURCHASE ADDITIONAL TRAFFIC SIGNAL LED'S. - PUBLIC SAFETY & THOROUGHFARES AND FINANCE COMMITTEES
335. SERVICE DIRECTOR CONCATTO: REQUEST MAYOR AND/OR SERVICE DIR. TO ENTER INTO CONTRACT FOR SALE OF DUNLAP HOUSE @ 402 HIGH AVENUE SW ACQUIRED BY AUTHORITY FOR THE FEDERAL CAMPUS PROJECT. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
336. SERVICE DIRECTOR CONCATTO: REQUEST SERVICE DIRECTOR TO ENTER INTO \$107,000 CONTRACT W/DIANO REALTY TO PURCHASE APPROXIMATELY 3 ACRES OF PROPERTY ON 30TH STREET NE TO HOUSE CITY'S COLLECTION SYSTEMS DEPT. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
337. SERVICE DIRECTOR CONCATTO: REPORT OF EMERGENCY REPAIRS MADE TO SANITARY SEWER ON 25TH STREET BY BITZEL EXCAVATING INC. IN THE AMOUNT OF \$66,116.91, PURSUANT TO C#320 ON 6/19/06. - RECEIVED (6/21/06)
338. TREASURER SCHIRACK: BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 6/30/06. - RECEIVED & FILED
339. TREASURER SCHIRACK: JUNE 2006 PARKING METER REVENUE. - RECEIVED & FILED
340. TREASURER SCHIRACK: DEPOSITS & PAYINS FOR MONTH OF JUNE 2006 FOR AMBULANCE LOCK BOX ACCOUNT. - RECEIVED & FILED
341. WEST, T. WARD 2 COUNCILMBR: REQUEST FOR COMMUNITY AND ECONOMIC DEVELOPMENT TO REFRAIN FROM ECONOMIC DEVELOPMENT IN THE KRESGE LOT.- COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

Recess for Personnel to discuss C#332 at 7:58 pm. Resumed at 8:00 pm.

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. ESTABLISHING \$100.00 PETTY CASH FUND FOR CANTON CITY COUNCIL; EMERGENCY
Referred to Finance Committee
- 1ST RDG 2. AUTHORIZING MAYOR TO ENTER INTO AMENDED ENTERPRISE ZONE AGREEMENT (COMPANY NAME CHANGE) WITH RMI TITANIUM COMPANY dba RTI ALLOYS; EMERGENCY
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING - CONTINUED:

- 1ST RDG 3. ESTABLISHING FAIR MARKET REAL PROPERTY VALUE W/COLUMBUS RD/HARMONT AVENUE NE INTERSECTION PROJECT; AUTHORIZE SERVICE DIRECTOR TO NEGOTIATE & PURCHASE SAID PARCELS AT FAIR MARKET VALUES; ENTER INTO TEMPORARY & STANDARDS HIGHWAY EASEMENT; EMERGENCY
Referred to Community & Economic Development and Finance Committees
- 1ST RDG 4. RESOLUTION OF NECESSITY & INTENT TO APPROPRIATE PROPERTY PURSUANT TO ORC, CHAPTER 719, FOR CITY OF CANTON RE: COLUMBUS RD/HARMONT AVE., NE INTERSECTION PROJECT; EMERGENCY
Referred to Public Safety & Thoroughfares and Finance Committees
- 1ST RDG 5. AMENDING ORD NO. 1/2006, FOR \$74,200 SUPPLEMENTAL APPROPRIATION FROM THE 2421 CANTON RAIL STATION GRANT 2003 FOR CANTON RAIL STATION HEREIN DESCRIBED; EMERGENCY

Referred to Community & Economic Development and Finance Committees

- 1ST RDG 6. APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS 24608, 24609 AND 24610; EMERGENCY (Henrietta Ave NE)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 7. APPROVING & ACCEPTING REPLATTING OF ALL OF LOTS 1436 & 1437; EMERGENCY (NE CORNER OF YOUNG AVE., NE & LUTZ PL, REQ. COOPER & ASSOC.)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 8. APPROVING & ACCEPTING REPLATTING OF PART OF OUT LOT 1065 (2801 FAIRCREST ST SW) AS REQUESTED BY JAMES REED, CAMPBELL & ASSOCIATES); EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 9. AMENDING O. 164/2001, EXHIBIT A OF THE MANAGEMENT & NON-BARGAINING UNIT CLASSIFICATION PLAN & SALARIES FOR CITY OF CANTON EMPLOYEES IN THE SERVICE DIRECTOR'S COLLECTION SYSTEMS DEPT; EMERGENCY
Referred to Personnel Committee
- 1ST RDG 10. AUTHORIZING CITY AUDITOR TO PAY \$66,116.91 MORAL OBLIGATION TO BITZEL EXCAVATING FOR EMERGENCY REPAIR ON 25TH STREET NW
Referred to Finance Committee
- 1ST RDG 11. AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH CAMP DRESSER & MCKEE FOR BIDDING AND CONSTRUCTION SERVICES; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE WPCC BIOFILTER MEDIA REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 1/2006; EMERGENCY
Referred to Environmental & Public Utilities and Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

SUSPENDED RULE 22A TO ADD O#12-16:

- 109/2006 12. ADOPTING THE CITY OF CANTON'S PROPOSED TAX BUDGET FOR FISCAL YEAR ENDING 12/31/2007; EMERGENCY. **PUB HRG 7/10/06 @ 7:30 PM**
Referred to FINANCE COMMITTEE
- 2ND RDG 13. AMENDING APPROPRIATION ORDINANCE NO. 1/2006 FOR A \$48,279.00 SUPPLEMENTAL APPROPRIATION FR: THE 2316 WIC ADMINISTRATION GRANT FUND; EMERGENCY
Referred to FINANCE COMMITTEE
- 110/2006 14. AMENDING ORDINANCE 40/2000, EXHIBIT 'A', OF THE AFSCME LOCAL 2937 BARGAINING UNIT PERSONNEL PLAN FOR CITY OF CANTON IN THE SAFETY DIRECTOR'S DEPT. OF TRAFFIC ENGINEERING & SIGNAL ALARM; EMERGENCY
Referred to PERSONNEL COMMITTEE
- 2ND RDG 15. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO AGREEMENT W/STARK METROPOLITAN HOUSING AUTHORITY TO RECONSTRUCT A PUBLIC STORM SEWER ; EMERGENCY
Referred to INTERGOVERNMENTAL & PUBLIC SERVICE AND FINANCE COMMITTEE
- 2ND RDG 16. RESOLUTION TO WITHDRAW CITY OF CANTON OBJECTION FOR RENEWAL OF LIQUOR PERMIT IN CITY OF CANTON; EMERGENCY (JOHN E & ARTHUR T. JOHNSON DBA CAROUSEL LOUNGE)
Referred to INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

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

- 111/2006 17. APPROVING AND ACCEPTING THE REPLATTING OF OUTLOTS 683 & 684, PART OF OUTLOT 695 & LOTS 34591, 34596 - 34601, 34885 AND 34886; EMERGENCY
(AS AMENDED)
- 112/2006 18. AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (Canton Preservation Society) **PUBLIC HRG. 7/10/06 @ 7:31 PM**
- (AS AMENDED)**
- 113/2006 19. AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (3912 Mahoning Rd NE) **PUBLIC HRG. 7/10/06 @ 7:32 PM**
- (AS AMENDED)**
- 114/2006 20. AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE. (City of Canton) **PUBLIC HRG. 7/10/06 @ 7:33 PM**
- 115/2006 21. VACATING PORTION OF HOPE COURT SE (FR: 3RD ST SE TO LINE @ ROWLAND CEMETERY); EMERGENCY
PUBLIC HRG. 7/10/06 @ 7:34 PM
- 116/2006 22. AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO AN 18-MONTH CONTRACT FOR THE INSTALLATION OF BACKWATER VALVES; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, JULY 24, 2006 @ 6:00 P.M. in Council Caucus Room

- 1) COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
- 2) PUBLIC SAFETY & THOROUGHFARES COMMITTEE
- 3) FINANCE COMMITTEE
- 4) PERSONNEL COMMITTEE
- 5) ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE

PUBLIC SPEAKS: Henry Preston re: Embassy & Park Place Apartments maintenance personnel; Bob Swihart re: Fell in bathroom causing spinal cord injury as a result of the bad drainage system Embassy & Park Place Apartments; Jeffrey Howenstine re: Sewer water flooding in basement at his residence on 22nd St.; Sheldon Garkow re: Water flooding behind his house and basement.

MISCELLANEOUS BUSINESS: Greg Hawk re: Announcing quarterly Finance Meeting on July 13, 2006 at 10:00 am in Council Chamber, also on July 13, 2006 at 11:00 am U.S. Attorney Gregory White presenting John Ferrero with the Weed & Seed check, Judge Charles Brown will be there also; Butch Kraus re: Mr. Garkow's problems with his property flooding; Ray Denczak re: reading a joke from Richard Hart; Mary Cirelli re: Asking Joe Concatto if any the city's fleet had diesel fuel; Thomas West re: Announcing O'Jays Concert this Saturday and the Family Reunion.

ADJOURNMENT TIME: 8:35 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JULY 24, 2006 @ 7:30PM