

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

JULY 24, 2006

ROLL CALL: 11 Councilmembers present, 1 Absent (Don Casar)

INVOCATION: Given by Richard Hart, Ward 7 Council Member

PLEDGE OF ALLEGIANCE: Led by Council President Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2ND Rdg O#12-#22; Suspended Rule 22B to adopt 2nd Rdg O#12 and #21; Suspended Rule 22 to add C#360)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

FIRST VICE PRESIDENT JOE CARBENIA: EXCUSING MEMBER DON CASAR

61. COUNCIL-OF-THE-WHOLE: COMMENDING RABBI JOHN SPITZER FOR 25 YEARS OF SERVICE AND COMMITMENT TO THE CANTON COMMUNITY. - ADOPTED

62. HART, R., WARD 7 COUNCILMBR: COMMENDING ALL THOSE INVOLVED IN THE ULSTER PROJECT. - ADOPTED

63. PERSONNEL COMMITTEE: REQUEST APPROVAL OF TONI MIDDLETON TO THE STARK COUNTY COMMISSIONERS "AT LARGE" MAYOR'S POSITION ON THE PLANNING COMMITTEE. - ADOPTED

COMMUNICATIONS:

342. CIRELLI, M., CNCL-AT-LARGE: REQUEST AMENDING CODIFIED ORDINANCE NO. 1129.19, SECTION C (GARAGE SALE SIGNS). - JUDICIARY COMMITTEE

343. LIQUOR CONTROL DIVISION (OHIO): SUBMITTING NOTICE OF A NEW PERMIT APPLICATION (AMVETS POST 555). - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

344. LAW DIRECTOR, MARTUCCIO: REQUEST AUTHORIZATION FOR THE PERSONNEL COMMITTEE TO FILE & PRESENT AN INFORMAL RESOLUTION WHICH WILL AUTHORIZE VACATION TIME FOR A FULL-TIME ATTORNEY THAT HE PROPOSES TO HIRE IN SEPTEMBER OF 2006. - PERSONNEL COMMITTEE

345. MAYOR CREIGHTON: REQUEST TO AMEND APPROPRIATION ORDINANCE 1/2006 TO INCREASE THE APPROPRIATIONS IN A NUMBER OF CITY FUNDS. - FINANCE COMMITTEE

346. PLANNING COMMISSION: RECOMMENDING APPROVAL OF DEDICATION OF ADDITIONAL RIGHT OF WAY ON 25TH ST NE EAST OF ROOT AVE AND THE REPLAT OF LOTS 23330 THRU 23334 BY HABITAT FOR HUMANITY. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

347. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REPLAT OF LOTS 24279 THRU 24281 (S.E. CORNER OF 22ND ST NE AND SUPERIOR AVE). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

348. PLANNING COMMISSION: RECOMMENDING APPROVAL OF DEDICATION OF HOFFMAN CT NE BETWEEN 10TH ST NE NORTH TO AN UNNAMED ALLEY AND THE REPLAT OF LOTS 29135 THRU 29139, 42545, 29133 AND PART OF LOT 6254 BY CITY OF CANTON. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

349. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REPLAT OF LOTS 13800, 13801 AND 13802 (THE 1900 BLOCK OF ROOSEVELT NE BY CASTLE ROCK HOMES. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

350. PLANNING COMMISSION: RECOMMENDING APPROVAL OF VACATION OF AN UNNAMED ALLEY EAST FROM DERBY CT SW TO THE WESTERN LINE OF LOT 33355 (APPROXIMATELY 62' AND THE REPLAT OF SAID VACATED ALLEY AND ALL OF LOTS 3134, 3135, 3417 THRU 3419, 6607 THRU 6627, 19193, 19194, 20383, 20384, 33355, 37080, 39151, 39934, 39935, PART OF OUTLOTS 60, 61, 62, 63, 176, 332, AND PART OF LOTS 6475, 6628, 6494 BY NORTH AMERICAN GALVANIZING. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

COMMUNICATIONS - CONTINUED:

351. SAFETY DIR., HUNT: REQUEST AUTHORIZATION FOR THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT; AND/OR ALTERNATIVELY ENTER INTO CONTRACT IN ACCORDANCE WITH O.R.C. SECTION 125.04, STATE COOPERATIVE PURCHASING AGREEMENT;

AND/OR ALTERNATIVELY ENTER INTO CONTRACT IN ACCORDANCE WITH O.R.C. SECTION 5513.01, OHIO DEPT. OF TRANSPORTATION PURCHASING AGREEMENT FOR THE PURCHASE OF COMPUTERIZED ON-STREET PARKING ENFORCEMENT EQUIPMENT; AND REQUEST \$70,000.00 SUPPLEMENTAL APPROPRIATION FROM UNAPPROPRIATED BALANCE OF CAPITAL IMPROVEMENT FUND TO 4501 10-40-01, TRAFFIC ENGINEERING. - PUBLIC SAFETY & THOROUGHFARES & FINANCE COMMITTEES

352. SAFETY DIR., HUNT: REQUEST AMENDMENT TO THE BARGAINING UNIT CLASSIFICATION PLAN IN POSITION GROUP 10FI, FIRE DIVISION. - PERSONNEL COMMITTEE
353. SAFETY DIR., HUNT: REQUEST AMENDMENT TO THE MANAGEMENT, NON-BARGAINING UNIT CLASSIFICATION PLAN IN POSITION GROUP 10FI, FIRE DIVISION. - PERSONNEL COMMITTEE
354. SCHIRACK, TREASURER: COMPARATIVE REPORT OF CASH RECEIPTS FILED AS OF JUNE 30, 2006.- RECEIVED & FILED
355. SERVICE DIR., CONCATTO: REQUEST AUTHORIZATION FOR THE MAYOR TO APPLY FOR, ENTER INTO AGREEMENT AND RECEIVE FUNDS FOR THE 2007 PROGRAM FROM THE DIR. OF OHIO PUBLIC WORKS COMMISSION; AND TO EXECUTE CONTRACTS FOR CURRENT STATE CAPITAL IMPROVEMENT AND LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS FUNDING FOR CAPITAL IMPROVEMENTS PROJECTS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
356. SERVICE DIR., CONCATTO: REQUEST AUTHORIZATION FOR THE MAYOR TO APPLY FOR, ENTER INTO AGREEMENT AND RECEIVE FUNDS FOR 2007 PROGRAM YEAR FROM THE CLEAN OHIO CONSERVATION FUND THAT IS ADMINISTERED THROUGH THE NATURAL RESOURCES ASSISTANCE COUNCIL AND THE OHIO PUBLIC WORKS COMMISSION. - FINANCE COMMITTEE
357. SAFETY DIR., HUNT: REQUEST AUTHORIZATION FOR DIRECTOR OF PUBLIC SAFETY TO ACCEPT THE OHIO DIVISION OF EMS TRAINING AND EQUIPMENT GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$3,500.00 FOR THE CANTON FIRE DEPARTMENT FOR TRAINING AND THE PURCHASE OF EQUIPMENT; REQUEST OF SUPPLEMENTAL APPROPRIATION FROM UNAPPROPRIATED BALANCE 2812, EMS TRAINING & EQUIPMENT FUND TO 2812, EMS TRAINING & EQUIPMENT FUND. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
358. SERVICE DIR., CONCATTO: REQUEST AUTHORIZATION FOR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE RESTORATION OF THE LOWER ROOF AREAS OF THE CITY HALL BUILDING. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
359. SMUCKLER, W, CNCL-AT-LARGE: REQUEST LAW DEPT. TO PREPARE LEGISLATION TO PUT THE FOLLOWING QUESTION ON THE BALLOT: SHALL A COMMISSION BE CHOSEN TO FRAME A CHARTER GOVERNMENT. IF SO, 15 MEMBERS SHALL BE ELECTED CITY WIDE. - JUDICIARY COMMITTEE
360. SERVICE DIR., CONCATTO: REQUEST AUTHORIZATION FOR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE 38TH ST NW IMPROVEMENT, GP 1067; REQUESTING \$597,920.00 FROM 4553-38TH ST NW IMPROVEMENT UNAPPROPRIATED BALANCE TO 4553-202001-38TH ST NW IMPROVEMENT AND \$300,000.00 FROM 4501-202001-CAP.-ENGINEER ADMINISTRATION TO 4501-202072-CAP.-38TH ST NW IMPROVEMENT, GP 1067 - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. VACATING A PORTION OF DEWALT AVENUE NW AND; EMERGENCY
Referred to PUBLIC SAFETY & THOROUGHFARES COMMITTEE

PUBLIC HRG. 8/21/06 @ 7:30 PM

- 1ST RDG 2. VACATING PORTIONS OF NOEL COURT NW, HARRIET AVE NW AND CROAD COURT NW; APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS 1890, 1891, 19130, 19131, 2926 THROUGH 2931 AND THE VACATED PORTIONS OF NOEL COURT NW, HARRIET AVE NW, AND CROAD COURT NW; APPROVING AND ACCEPTING THE DEDICATION OF TWO 15 FOOT TURN-OUT RADIUSES AND A 20 FOOT WATERLINE EASEMENT; EMERGENCY

Referred to PUBLIC SAFETY & THOROUGHFARES COMMITTEE

PUBLIC HRG. 8/21/06 @ 7:31 PM

1ST RDG 3. AMENDING ORDINANCE NO. 55/77, AS AMENDED KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (2801 FAIRCREST ST SW)
Referred to PUBLIC SAFETY & THOROUGHFARES COMMITTEE

PUBLIC HRG. 8/21/06 @ 7:32 PM

1ST RDG 4. VACATING A PORTION OF RUTH PLACE NW; EMERGENCY
Referred to PUBLIC SAFETY & THOROUGHFARES COMMITTEE

PUBLIC HRG. 8/21/06 @ 7:33 PM

1ST RDG 5. AMENDING ORDINANCE NO. 174/83; EMERGENCY
Referred to PERSONNEL COMMITTEE

1ST RDG 6. AUTHORIZING MAYOR OR DIRECTOR OF PUBLIC SERVICE TO FILE AN APPLICATION WITH THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO ASSISTANCE FUND, APPLY FOR FINANCIAL ASSISTANCE AND ADMINISTER THE FUNDS RECEIVED; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AN AMOUNT NOT TO EXCEED \$300,000.00; EMERGENCY
Referred to COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

1ST RDG 7. AMENDING APPROPRIATION ORDINANCE NO. 1/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION OF \$5,000.00 FROM UNAPPROPRIATED BALANCE OF THE 2328 PHI FUND TO THE 2328 PHI FUND; EMERGENCY
Referred to FINANCE COMMITTEE

1ST RDG 8. AMENDING ORDINANCE NO. 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR ALL MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED; EMERGENCY
Referred to PERSONNEL COMMITTEE

1ST RDG 9. AMENDING APPROPRIATION ORDINANCE NO. 1/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION OF \$1,030.00 FROM UNAPPROPRIATED BALANCE OF THE 2111 STREET MAINTENANCE FUND TO 2111 10-40-10 STREET MAINTENANCE FUND; EMERGENCY
Referred to PUBLIC SAFETY & THOROUGHFARES AND FINANCE COMMITTEES

1ST RDG 10. AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT FOR THE SALE OF THE HOUSE LOCATED AT 402 HIGH AVE., S.W.; EMERGENCY
Referred to PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

1ST RDG 11. ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND PURCHASE PARCEL NO. 52/17218 AND 52/17220 (OWNER DIANO REALTY); EMERGENCY
Referred to PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

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

117/2006 12. ESTABLISHING \$100.00 PETTY CASH FUND FOR CANTON CITY COUNCIL; EMERGENCY
(Finance Committee)

2ND RDG 13. AUTHORIZING MAYOR TO ENTER INTO AMENDED ENTERPRISE ZONE AGREEMENT (COMPANY NAME CHANGE) WITH RMI TITANIUM COMPANY dba RTI ALLOYS; EMERGENCY
(Community & Economic Development Committee)

2ND RDG 14. 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

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING - CONTINUED:

EASEMENT; EMERGENCY
(Community & Economic Development & Finance Committees)

2ND RDG 15. 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
(Public Safety & Thoroughfares & Finance Committees)

2ND RDG 16. 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
(Community & Economic Development & Finance Committees)

2ND RDG 17. APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS 24608, 24609 AND 24610; EMERGENCY (Henrietta Ave NE)

(Public Safety &Thoroughfares Committee)

- 2ND RDG 18. APPROVING & ACCEPTING REPLATTING OF ALL OF LOTS 1436 & 1437; EMERGENCY (NE CORNER OF YOUNG AVE., NE & LUTZ PL, REQ. COOPER & ASSOC.)
(Public Safety &Thoroughfares Committee)
- 2ND RDG 19. APPROVING & ACCEPTING REPLATTING OF PART OF OUT LOT 1065 (2801 FAIRCREST ST SW) AS REQUESTED BY JAMES REED, CAMPBELL & ASSOCIATES); EMERGENCY
(Public Safety & Thoroughfares Committee)
- 2ND RDG 20. 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
(Personnel Committee)
- 118/2006 21. AUTHORIZING CITY AUDITOR TO PAY \$66,116.91 MORAL OBLIGATION TO BITZEL EXCAVATING FOR EMERGENCY REPAIR ON 25TH STREET NW
(Finance Committee)
- 2ND RDG 22. 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
(Environmental & Public Utilities and Finance Committees)

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

- 119/2006 23. AMENDING APPROPRIATION ORDINANCE NO. 1/2006 AS AMENDED FOR \$48,279.00 SUPPLEMENTAL APPROPRIATION FROM THE UNAPPROPRIATED BALANCE OF THE 2316 WIC FUND TO 2316 WIC ADMINISTRATION GRANT FUND; EMERGENCY
- 120/2006 24. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO AGREEMENT W/STARK METROPOLITAN HOUSING AUTHORITY TO RECONSTRUCT A PUBLIC STORM SEWER; EMERGENCY
- 121/2006 25. 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)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, AUGUST 7, 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) PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
- 6) JUDICIARY COMMITTEE

PUBLIC SPEAKS: Henry Preston re: Thanking Mayor for coming to Embassy Suites; Paul Martin re: Closing of Jackson Pool; Patricia Kirk re: Tree Ordinance; Jeff Bracken re: Citizenship of Canton, Ohio; Larry Henderhan re: Retail Station being built near his property; Charles Antwi-Oeimpeh re: Retail Station being built near Larry Henderhan's property; Richard Daniska re: Retail Service Ordinance and Service Station Ordinance; Samuel Mohammed re: A man being wrongfully arrested and beaten by gang task force; Robert Mohammed Robinson re: His son being wrongfully arrested and beaten by gang task force; Rea Bonder re: Thanking Kevin Monroe and the street department employees for assisting in the Clean Up Day for her neighborhood; Dave & Deb Lutyen re: Mallonn's outdoor parking lot party; Ken Ippolito re: inviting everyone to his apartments to take a look at them.

MISCELLANEOUS BUSINESS: Mary Cirelli re: Commending the Love family; Joe Concatto re: Using bio-diesel in city trucks.

ADJOURNMENT TIME: 8:47 PM

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