

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

AUGUST 7, 2006

ROLL CALL: All Councilmembers present

INVOCATION: Given by Karl "Butch" Kraus, Ward 8 Council Member

PLEDGE OF ALLEGIANCE: Led by Council President Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2<sup>ND</sup> Rdg O#17 - #27; Suspended Rule 24B to add R#64 & #65; Suspended Rule 22 to add C#380 & C#381)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

VICE PRESIDENT DONALD E CASAR: EXCUSING MEMBERS (Not necessary - all members present)

**SUSPENDED RULE 24B TO ADD R#64 & 65:**

64. KRAUS, B. WARD 8 COUNCILMEMBER: REQUESTING A STREET LIGHT ON THE EXISTING POLE BETWEEN 1110 AND 1120 55<sup>TH</sup> ST NE. - ADOPTED

65. PERSONNEL COMMITTEE: APPOINT KRISTEN BATES AYLWARD TO THE POSITION OF ASSISTANT LAW DIRECTOR EFFECTIVE 9/11/06; REQUEST TO TRANSFER 80 HOURS OF ACCUMULATED SICK LEAVE FROM STARK COUNTY TO THE CITY. - ADOPTED

66. COUNCIL-AS-A-WHOLE COMMENDING UNION METAL CELEBRATING 100 YEARS. - ADOPTED

COMMUNICATIONS:

361. AUDITOR, MALLONN (CITY): CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES FOR 2006. - RECEIVED & FILED

362. AUDITOR, MALLONN (CITY): CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES FOR 2006 (WIC). - RECEIVED & FILED

363. CANTON FIRE DEPARTMENT: 2005 ANNUAL REPORT. - RECEIVED & FILED

364. HEALTH BENEFITS ADMIN. BRESSON: JULY 2006 MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JANUARY - JULY 2006 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED

365. HEALTH COMMISSIONER, PATTISON: REQUEST TO APPROPRIATE UNAPPROPRIATED CASH BALANCES. - FINANCE CMTE

366. LIQUOR CONTROL DIVISION (OHIO): SUBMITTING NOTICE OF HEARING FOR THE TRANSFER OF STOCK OF PERMIT ON 8/15/06 @ 10:00 AM (A H N, INC. dba STORE, 1105 WEST TUSCARAWAS). - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

367. LIQUOR CONTROL DIVISION (OHIO): SUBMITTING NOTICE OF HEARING FOR THE RENEWAL OF PERMIT ON 8/15/06 @ 10:00 AM (A H N, INC dba STORE, 1105 WEST TUSCARAWAS). - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

368. LIQUOR CONTROL DIVISION (OHIO): SUBMITTING NOTICE OF HEARING FOR THE RENEWAL OF PERMIT ON 8/15/06 @ 11:00 AM (MEZE'S MARKET, INC dba MEZE'S MARKET, 1639 MAPLE AVENUE, NE). - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

369. LIQUOR CONTROL DIVISION (OHIO): SUBMITTING NOTICE OF HEARING FOR THE RENEWAL OF PERMIT ON 8/15/06 @ 1:00 PM (MARTIN JOSEPH STURIALE dba PASTIME INN). - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

370. LIQUOR CONTROL DIVISION (OHIO): REQUEST TRANSFER OF OWNERSHIP OF C1 C2 LIQUOR PERMIT FROM WAYNE EDWARD MARION DBA T&M DRIVE THRU TO: JOSEPH C. BATTERSHELL DBA MARIOS DRIVE THRU, 912-914 12<sup>TH</sup> ST NE. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

371. MAYOR, CREIGHTON: REQUEST AUTHORIZATION TO APPOINT ED RUTH TO THE CANTON BOARD OF BUILDING APPEALS FOR A THREE-YEAR TERM RETROACTIVE TO 1/1/06, EXPIRING ON 12/31/08. - PERSONNEL CMTE

COMMUNICATIONS - CONTINUED:

372. MAYOR, CREIGHTON: AUTHORIZE THE MAYOR AND/OR DIR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH PUTMAN PROPERTIES INC. IN AN AMOUNT NOT TO EXCEED \$70,000 FOR ENGINEERING WORK TO COMPLETE THIS INDUSTRIAL PARK. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE CMTE

373. SAFETY DIRECTOR, HUNT: REQUEST AUTHORIZATION FOR THE DIR OF PUBLIC SAFETY TO

ACCEPT THE 2006 FIRE SAFETY FUND GRANT FROM ALUMINUM CANS FOR BURNED CHILDREN IN THE AMOUNT OF \$479.30 FOR THE CANTON FIRE DEPT; REQUEST AUTHORIZATION TO APPROPRIATE SAID FUNDS FR: UNAPPROPRIATED BALANCE 2813, FIREFIGHTER ASSISTANCE GRANT FUND TO: 2813, FIREFIGHTER ASSISTANCE GRANT FUND. - FINANCE CMTE

374. SERVICE DIRECTOR, CONCATTO: REQUEST APPROVAL OF A WATER MAIN EXTENSION FOR CRESENT RIDGE HOLLOW ON 42<sup>ND</sup> ST NW IN PLAIN TWP. - ENVIRONMENTAL & PUBLIC UTILITIES CMTE
375. TREASURER, SCHIRACK: TREASURER'S OFFICE BANK RECONCILIATIONS AND THE CITY'S OUTSTANDING INVESTMENTS AS OF 7/31/06. - RECEIVED & FILED
376. TREASURER, SCHIRACK: REPORT OF AN ACTUAL OF DEPOSITS AND PAY INS MADE FOR THE MONTH OF JULY, 2006 TO THE AMBULANCE LOCK BOX ACCOUNT. - RECEIVED & FILED
377. TREASURER, SCHIRACK: REPORT OF AN ACTUAL ACCOUNT OF THE PARKING METER REVENUE FOR THE MONTH OF JULY, 2006. - RECEIVED & FILED
378. WEST, T. WARD 2 COUNCILMBR: PROPOSE THAT HANDICAPPED PARKING SPACES BE ADDED ON MARKET AVE BETWEEN 5<sup>TH</sup> ST AND 2<sup>ND</sup> ST IN BUSINESS DISTRICT. - RECEIVED & FILED
379. WEST, T. WARD 2 COUNCILMBR: REQUESTING ROADS NOT BEING CLOSED UNTIL 9:00 PM DURING SPECIAL EVENTS IN COMMERCIAL DISTRICT. - RECEIVED & FILED
380. AUDITOR MALLONN: SUBMITTING YEARLY REPORT BY FUND THRU 7/31/06. - RECEIVED & FILED
381. AUDITOR MALLONN: SUBMITTING MONTHLY REPORT BY FUND THRU 7/31/06. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1<sup>ST</sup> RDG 1. ESTABLISHING FAIR MARKET VALUE OF REAL PROPERTY IN CONJUNCTION W/THE TUSCARAWAS STREET WIDENING & STREETSCAPING IMPROV. PROJ., G.P. 1064; AUTHORIZING THE MAYOR OR DIR. OF PUB. SER. TO NEGOTIATE & PURCHASE SAID PARCELS AT THE ESTABLISHED FAIR MARKET VALUES; EMERGENCY  
Referred to COMMUNITY & ECON. DEV. AND PUBIC SAFETY & THOROUGHFARES CMTES
- 1<sup>ST</sup> RDG 2. AMENDING APPROPRIATION ORDINANCE #1/2006, AS AMENDED, MAKING SUPPLEMENTAL APPROPRIATIONS, TRANSFERS & INTER-FUND TRANSFERS HEREIN DESCRIBED; EMERGENCY  
Referred to FINANCE CMTE
- 1<sup>ST</sup> RDG 3. APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOTS 23330 THRU 23334; APPROVING & ACCEPTING THE DEDICATION OF ADDITIONAL RIGHT OF WAY ON 25<sup>TH</sup> ST NE (HABITAT FOR HUMANITY); EMERGENCY  
Referred to PUBLIC SAFETY & THOROUGHFARES CMTE
- 1<sup>ST</sup> RDG 4. APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOTS 24279 THRU 24281 (SE CORNER OF 22<sup>ND</sup> ST NE & SUPERIOR AVE); EMERGENCY  
Referred to PUBLIC SAFETY & THOROUGHFARES CMTE
- 1<sup>ST</sup> RDG 5. APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOTS 29135 THRU 29139, 42545, 29133, 29134 & PT. OF LOT 6254; APPROVING & ACCEPTING DEDICATION OF A PORTION OF HOFFMAN CT; EMERGENCY  
Referred to PUBLIC SAFETY & THOROUGHFARES CMTE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING - CONTINUED:

- 1<sup>ST</sup> RDG 6. APPROVING & ACCEPTING REPLATTING OF ALL OF LOTS 13800, 13801 & 13802 (CASTLE ROCK HOMES); EMERGENCY  
Referred to PUBLIC SAFETY & THOROUGHFARES CMTE
- 1<sup>ST</sup> RDG 7. VACATING PART OF A 15' UNNAMED ALLEY FR: THE E. LINE OF DERBY COURT TO THE W. LINE OF LOT 33355; APPROVING & ACCEPTING THE REPLATTING OF THE VACATED PORTION OF THE 15' UNNAMED ALLEY & ALL OF LOTS 3134, 3135, 3417 THRU 3419, 6607 THRU 6627, 19193, 19194, 20383, 20384, 33355, 37080, 39151, 39934, 39935, PART OF OLTS 60 THRU 63, 176, 332 & PART OF LOTS 6475, 6628 & 6494 (NORTH AMERICAN GALVANIZING); EMERGENCY  
Referred to PUBLIC SAFETY & THOROUGHFARES CMTE **PUBLIC HRG. 9/11/06 @ 7:30 PM**
- 1<sup>ST</sup> RDG 8. AUTHORIZING THE DIR OF PUB. SAF. TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR PURCHASE OF COMPUTERIZED ON-STREET PARKING ENFORCEMENT EQUIPMENT; AUTHORIZING THE DIR OF PUB. SAF. TO ALTERNATIVELY PURCHASE COMPUTERIZED ON-STREET PARKING ENFORCEMENT EQUIPMENT; AMENDING APPROPRIATION ORDINANCE #1/2006, AS AMENDED; EMERGENCY

Referred to PUBLIC SAFETY & THOROUGHFARES AND FINANCE CMTES

- 1<sup>ST</sup> RDG 9. AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, CLASSIFICATION PLAN FOR CITY OF CANTON BARGAINING PERSONNEL (FIRE DIV); EMERGENCY  
Referred to PERSONNEL CMTE
- 1<sup>ST</sup> RDG 10. AMENDING EX. A TO ORDINANCE #164/2001, AS AMENDED, CLASSIFICATION PLAN & SALARIES FOR ALL CITY OF CANTON MGMT & NON-BARGAINING EMPLOYEES (FIRE DIV) ; EMERGENCY  
Referred to PERSONNEL CMTE
- 1<sup>ST</sup> RDG 11. AUTHORIZING MAYOR TO SUBMIT NECESSARY APPLICATIONS TO THE DIR OF PUBLIC WORKS COMMISSION & EXECUTE CONTRACTS FOR CURRENT STATE CAP. IMP. & LOCAL TRANSPORTATION IMPR. PROGRAMS FUNDING FOR CAP. IMP. PROJECTS; EMERGENCY  
Referred to PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE CMTES
- 1<sup>ST</sup> RDG 12. AUTHORIZING MAYOR TO APPLY FOR, ENTER INTO AGREEMENT & RECEIVE FUNDS FOR 2007 PROGRAM YEAR FR: THE CLEAN OHIO CONSERVATION FUND; EMERGENCY  
Referred to FINANCE CMTE
- 1<sup>ST</sup> RDG 13. AUTHORIZING DIR. OF PUB. SAF. TO ACCEPT A \$3,500 GRANT FR: THE OHIO DEPT OF PUBLIC SAFETY FOR THE FIRE DEPT; AMENDING APPROPRIATION ORDINANCE #1/2006, AS AMENDED BY MAKING SUPPLEMENTAL APPROPRIATION FR: UNAPPROPRIATED BAL. OF THE 2812 EMS TRAINING & EQUIPMENT FUND TO: 2812 EMS TRAINING & EQUIPMENT; EMERGENCY  
Referred to PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE CMTES
- 1<sup>ST</sup> RDG 14. AUTHORIZING THE DIR OF PUB. SERV. TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR RESTORATION OF LOWER ROOF AREAS OF CITY HALL BLDG; EMERGENCY  
Referred to PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE CMTES
- 1<sup>ST</sup> RDG 15. PROVIDING FOR SUBMISSION TO ELECTORS OF THE CITY OF CANTON THE QUESTION, "SHALL A COMMISSION BE CHOSEN TO FRAME A CHARTER?" & FOR ELECTION OF MBRS OF CHARTER COMMISSION; EMERGENCY  
Referred to JUDICIARY CMTE
- 1<sup>ST</sup> RDG 16. AUTHORIZING THE DIR OF PUB. SERV. TO ADVERTISE. RECEIVE BIDS & ENTER INTO CONTRACT FOR THE 38<sup>TH</sup> ST NW IMP, GP 1067; AMENDING APPROPRIATION ORDINANCE #1/2006, AS AMENDED, MAKING THE SUPPLEMENTAL APPROPRIATION & APPROPRIATE TRANSFER OF \$597,920.00 FR: UNAPPROPRIATED BAL. OF 4553 - 38<sup>TH</sup> ST NW IMP. FUND TO: 4553 202001 - 38<sup>TH</sup> ST NW IMPR. PROJ.; EMERGENCY  
Referred to FINANCE CMTE

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

SUSPENDED RULE 22A TO ADD O#17 - #27:

- 2<sup>ND</sup> RDG 17. VACATING A PORTION OF DEWALT AVENUE NW; EMERGENCY (PS&T)  
**PUB. HRG. 8/21/06 @ 7:30 PM**
- 2<sup>ND</sup> RDG 18. VACATING PORTIONS OF NOEL CT NW, HARRIET AVE NW & CROAD CT NW; APPROVING & ACCEPTING REPLATTING OF ALL OF LOTS 1890, 1891, 19130, 19131, 2926 THRU 2931 & VACATED PORTIONS OF NOEL CT NW, HARRIET AVE NW, & CROAD CT NW; APPROVING & ACCEPTING THE DEDICATION OF TWO 15 FOOT TURN-OUT RADIUSSES & A 20 FT WATERLINE EASEMENT; EMERGENCY (PS&T)  
**PUB. HRG. 8/21/06 @ 7:31 PM**

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING - CONTINUED:

- 2<sup>ND</sup> RDG 19. AMENDING ORDINANCE NO. 55/77, AS AMENDED KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (2801 FAIRCREST ST SW) (PS&T) **PUB. HRG. 8/21/06 @ 7:32 PM**
- 2<sup>ND</sup> RDG 20. VACATING A PORTION OF RUTH PLACE NW; EMERGENCY (PS&T)  
**PUB. HRG. 8/21/06 @ 7:33 PM**
- 2<sup>ND</sup> RDG 21. AMENDING ORDINANCE NO. 174/83 PROPOSE TO STRIKE FINAL SENTENCE OF SECTION 1; EMERGENCY (PERS)
- 2<sup>ND</sup> RDG 22. 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 (C&ED)
- 2<sup>ND</sup> RDG 23. 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 (FIN)
- 2<sup>ND</sup> RDG 24. 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 (PERS)

- 2<sup>ND</sup> RDG 25. 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 (PS&T AND FIN)
- 2<sup>ND</sup> RDG 26. 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 (PPCI)
- 2<sup>ND</sup> RDG 27. 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 (PPCI)

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

- 122/2006 28. AUTHORIZING MAYOR TO ENTER INTO AMENDED ENTERPRISE ZONE AGREEMENT (COMPANY NAME CHANGE) WITH RMI TITANIUM COMPANY dba RTI ALLOYS; EMERGENCY
- 123/2006 29. 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
- 124/2006 30. 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
- 125/2006 31. 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
- 126/2006 32. APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS 24608, 24609 AND 24610; EMERGENCY (Henrietta Ave NE)
- 127/2006 33. APPROVING & ACCEPTING REPLATTING OF ALL OF LOTS 1436 & 1437; EMERGENCY (NE CORNER OF YOUNG AVE., NE & LUTZ PL, REQ. COOPER & ASSOC.)
- 128/2006 34. APPROVING & ACCEPTING REPLATTING OF PART OF OUT LOT 1065 (2801 FAIRCREST ST SW) AS REQUESTED BY JAMES REED, CAMPBELL & ASSOCIATES); EMERGENCY
- 129/2006 35. 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

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

- 130/2006 36. 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:

**THURSDAY, AUGUST 10, 2006 @ 6:00 P.M. in COUNCIL CHAMBER**

1. Judiciary Committee  
(RE: Charter Government)

**MONDAY, AUGUST 21, 2006 @ 6:00 P.M. in COUNCIL CAUCUS ROOM**

- 1) Finance Committee
- 2) Personnel Committee
- 3) Public Safety & Thoroughfares Committee
- 4) Public Property Capital Improvement Committee
- 5) Community & Economic Development Committee

PUBLIC SPEAKS: (2 Speakers) Michael Carpinelli RE: "O'JAYS" Fest & "JOYFEST" parking & problems in the park; David Sexton RE: Nuisance Law & problems in Summit neighborhood.

MISCELLANEOUS BUSINESS: Joe Carbenia RE: Scrap Car Ordinance open mtg. August 9, 2006 @ 3:00 PM in Council Caucus Room; Greg Hawk RE: problems in Summit neighborhood; Mary Cirelli RE: Grand Parade questions (Girl Scouts)

& thanking Lt. Pellegrino; Jim Griffin RE: thank-you to street & police dept. for timely clean-up of fairgrounds; Kelly Zachary RE: procedures for blocking off a street; Butch Kraus RE: Thank you to Service Director & all city employees for a great clean-up job after HOF activities last week; Thomas West RE: "JOYFEST" & more events in park & positive images.

ADJOURNMENT TIME: 8:17 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 21, 2006 @ 7:30PM