

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

SEPTEMBER 11, 2006

ROLL CALL: All Councilmembers present

INVOCATION: Given by Joe Carbenia, Assistant Majority Leader & Ward 9 Councilmember

PLEDGE OF ALLEGIANCE: ** Due to the passing of our beloved Council President Ray Denczak, the Pledge of Allegiance was Led by Council Majority Leader Don Casar

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2ND Rdg O#14-18)

PUBLIC HEARINGS:

7:30 AN ORDINANCE VACATING PART OF A 15' UNNAMED ALLEY FROM THE EAST LINE OF DERBY COURT TO THE WESTERLY 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 OUT LOTS 60 THRU 63, 176, 332 & PART OF LOTS 6475, 6628 & 6494 (NORTH AMERICAN GALVANIZING); AND DECLARING THE SAME TO BE AN EMERGENCY (PLANNING COMMISSION RECOMMENDED APPROVED) (See O#151/2006)

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

INFORMAL RESOLUTIONS:

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

70. PERSONNEL COMMITTEE: REQUEST CONFIRMATION OF APPOINTMENT OF ED RUTH TO THE CANTON BOARD OF BUILDING APPEALS EFFECTIVE RETROACTIVELY FROM 1/1/06 - 12/31/08. - ADOPTED
71. HART, WARD 7 COUNCILMEMBER: REQUEST TO NAME ALLEY BEGINNING @ SHORB NW & DEAD-ENDING 2 BLK OFF MYRTLE NW, INTERSECTED BY MYRTLE AVE & WALDEN TO 'DURBIN PLACE NW'. - ADOPTED

COMMUNICATIONS:

398. AUDITOR, MALLONN (CITY): CERTIFICATE OF TOTAL AMOUNT FROM ALL SOURCES FOR 2006. - RECEIVED & FILED
399. CD & PLNG. DIR. POORMAN: REQUESTING LEGISLATION TO ESTABLISH THE FAIR REUSE VALUE OF A PARCEL 02-36329 FOR \$600.00 LOCATED ON 2ND ST. SE & DISPOSITION OF SAME TO WANETTA BOLDEN, 1215 3RD ST SE - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
400. CD & PLNG. DIR. POORMAN: REQUEST MAYOR OR SERVICE DIR TO ENTER INTO AGREEMENT W/HYDRODEC GROUP PLC, PURSUANT TO O#2/2006, FOR NEW ECONOMIC GROWTH INITIATIVE CREATING FULL TIME JOBS WITHIN THE CITY OF CANTON. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
401. CD & PLNG. DIR. POORMAN: REQUEST TO ENTER INTO ENTERPRISE ZONE AGREEMENT W/HYDRODEC GROUP PLC TO CONSTRUCT A 5,600 SQ. FT NEW FACILITY @ STEIN INDUSTRIAL PARK OFF BELDEN AVE SE, CREATE 65 NEW JOBS, INSTALL 11 STORAGE TANKS & PURCHASE NEW EQUIPMENT; AGREEMENT TO PROVIDE 75% PROPERTY TAX EXEMPTION FOR 10 YRS. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
402. DESELMS, J, PRES. LAND USE INC. REQUEST TO VACATE PORTION OF MARYLAND, ROSLYN & BELLFLOWER FR: THE N. ROW OF 21ST ST TO 19TH ST SW; 21ST ST SW, FR: LINWOOD E TO END OF 21ST . - PLANNING COMMISSION
403. HART, RICHARD, WARD 7 CNCLMBR: REQUESTING GRANT TO BE USED SPECIFICALLY TO EDUCATE RESIDENTS SERVING ON CHARTER COMMISSION, PAY FOR LOCATION TO REVIEW CHARTER MATERIALS FR: OTHER CITIES, THE PRINTING & OTHER ASSOCIATED COSTS. - RECEIVED & FILED
404. LIQUOR CONTROL DIVISION (OHIO): REQUEST TRANSFER OF OWNERSHIP OF D5 LIQUOR PERMIT FR: MARJORIE O FOX TO MARK A & FRANCES D MILLS dba FRIENDLY KORNER TAVERN @ 1503 HARRISON AVE SW, 1ST FL & BSMT. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMISSION

COMMUNICATIONS - CONTINUED:

405. LIQUOR CONTROL DIVISION (OHIO): REQUEST NEW D1, D3, D3A FOR FRATERNAL ORDER ORIOLES, CANTON NEST 315 INC. @ 3151 MAHONING RD NE. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMISSION

406. MAYOR CREIGHTON: REQUEST FOR RE-APPOINTMENT OF JAMES "JEFF" SMITH TO CANTON CONSTRUCTION BOARD AS ELECTRICAL JOURNEYMAN RETROACTIVE TO 3/1/06 TO 2/28/09. - PERSONNEL CMTE
407. MAYOR CREIGHTON: REQUEST FOR RE-APPOINTMENT OF DR. PETER YACOBUCCI TO STARK REGIONAL PLANNING COMMISSION EFF: 8/1/06 TO 7/31/09. - PERSONNEL CMTE
408. McLEAN, BRAD: APPLICATION FOR ZONE CHANGE FR: B-3 & R-1A TO PB-3 ON THE WEST SIDE OF CLEVELAND AVE., OL #483 & #484 FOR CONSTRUCTION OF 7,000 SQ. FT. ADVANCE AUTO PARTS STORE. - PLANNING COMMISSION
409. ROACH, JIM FAMILY: THANKING COUNCIL FOR THEIR THOUGHTFULNESS ON THE PASSING OF HAROLD 'JIM' ROACH - RECEIVED & FILED
410. SAFETY DIRECTOR HUNT: REQUEST DIR OF PUBLIC SAFETY TO DONATE UNUSABLE FIRE EQUIPMENT TO STARK STATE COLLEGE OF TECHNOLOGY, FIRE SCIENCE DEPT. FOR EDUCATIONAL PURPOSES. - PUBLIC PROPERTY CAPITAL IMPROVEMENT CMTE
411. SAFETY DIRECTOR HUNT: REQUEST TO ESTABLISH PETTY CASH & CHANGE DRAWERS FOR CORNERSTONE PARKING DECK IN AMT OF \$200.00 & MILLENNIUM PARKING DECK IN AMT OF \$200.00. - FINANCE CMTE
412. SAFETY DIRECTOR HUNT: REQUEST SAFETY DIRECTOR TO ENTER INTO CONTRACT W/ANGELA JACOBY CAVENAUGH TO EXAM DUTIES OF CITY OF CANTON BLDG DEPT INCLUDING CONFORMITY W/STATE & LOCAL ELECTRICAL CODE, & OTHER SPECIFIC CODES (***NOTE: NO CONTRACT TIME FRAME GIVEN; NO DOLLAR AMOUNT SPECIFIED**). - FINANCE CMTE
413. SAFETY DIRECTOR HUNT: REQUEST \$5,554.00 SUPPLEMENTAL APPROPRIATION FR: UNAPP BAL OF 2111 STREET MAINT ACCT (\$4,213 TO 2111 10-40-20 & \$1,341 TO 2111 10-40-10) FOR ADDITIONAL LED'S & SIGN MAKING SUPPLIES. - FINANCE CMTE
414. SCHIRACK, TREASURER: COMPARATIVE REPORT OF AMBULANCE LOCK BOX FOR AUG. 2006. - RECEIVED & FILED
415. SCHIRACK, TREASURER: COMPARATIVE REPORT OF PARKING METER REVENUE FOR MONTH OF AUG. 2006. - RECEIVED & FILED
416. SCHIRACK, TREASURER: COMPARATIVE REPORT OF INCOME TAX CASH RECEIPTS AS OF 8/31/06. - RECEIVED & FILED
417. SERVICE DIRECTOR CONCATTO: REQUEST \$8,014 CH. OR. & SUPPLEMENTAL APPROPRIATION FR: UNAPP. BAL OF 5410 FUND TO 5410 20-60-39 TITLE v PERMIT PROJECT, PURSUANT TO O#116/2004, FOR FLOYD BROWNE GROUP. - FINANCE CMTE
418. SERVICE DIRECTOR CONCATTO: SUBMITTING STATISTICAL INFORMATION RE: OUTSIDE WATER LINE EXTENSIONS GENERATING AN ANNUAL INCOME OF \$897,055.34 FOR THE CITY OF CANTON. - RECEIVED & FILED
419. SERVICE DIRECTOR CONCATTO: REQUEST \$335,400.00 SUPPLEMENTAL APPROPRIATION FR: UNAPP. BAL OF 5201 FUND TO VARIOUS ACCOUNTS FOR INCREASED COSTS, NEW TELEPHONE SYSTEM & CREW TRUCK, ETC., IN WATER DEPT; REQUEST \$9,300.00 SUPPLEMENTAL APPROPRIATION FR: UNAPP BAL OF 5410 TO 5410 20-70-03 SEWER BILLING FOR POSTAGE, ETC., - FINANCE CMTE

COMMUNICATIONS - CONTINUED:

420. SERVICE DIRECTOR CONCATTO: SUBMITTING A LIST OF DELINQUENT WATER & SEWER CHARGES FOR CERTIFICATION TO THE COUNTY AUDITOR FOR COLLECTION UPON THE PROPERTY TAX ASSESSMENTS; REQUEST PASSAGE AS AN EMERGENCY. - FINANCE CMTE
421. STARK COUNTY COMMISSIONERS: RESOLUTION GRANTING ANNEXATION OF 51.228 ACRES IN PLAIN TOWNSHIP TO THE CITY OF CANTON KNOWN AS THE DIANO ANNEXATION. - RECEIVED & FILED
422. WEST, THOMAS, WARD 2 CNCLMBR: REQUEST TO LAW DEPT. TO RESEARCH & DRAFT LEGISLATION TO ESTABLISH A 'CHUCK ELLIS REGISTRY' FOR LIQUOR ESTABLISHMENTS TO HELP COMBAT CRIME. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZING MAYOR TO ENTER INTO ENTERPRISE ZONE AGREEMENT W/UNION METAL CORP FOR REAL PROPERTY TAX EXEMPTION; AUTHORIZING AUDITOR TO MAKE PAYMENTS TO CANTON CITY BD. OF ED. IN ACCORDANCE W/ORC, SEC. 5709.82 (C) & (D); EMERGENCY
Referred to COMMUNITY & ECONOMIC DEV. CMTE
- 1ST RDG 2. ESTABLISH FAIR MARKET REUSE VALUE OF REAL PROPERTY OF 5 PARCELS OF CITY-OWNED PROPERTY; AUTHORIZING SALE & CONVEYANCE OF SAID PROPERTIES PURSUANT TO RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY
Referred to COMMUNITY & ECONOMIC DEV. CMTE
- 1ST RDG 3. ESTABLISH FAIR MARKET REUSE VALUE AND/OR FAIR MARKET VALUES OF 7 PARCELS CITY OWNED PROPERTY; AUTHORIZING SALE & CONVEYANCE OF SAID PROPERTIES PURSUANT TO RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY
Referred to COMMUNITY & ECONOMIC DEV. & FINANCE CMTE
- 1ST RDG 4. RESOLUTION TO WITHDRAW CITY'S OBJECTION FOR LIQUOR PERMIT RENEWAL OF CW HUTH INDUSTRIES, INC. DBA STARK CO. SPORTS PUB @ 508 CLEVELAND AVE., NW & BSMT & ROOF TOP PATIO WITHIN CITY OF CANTON; EMERGENCY
Referred to INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
- 1ST RDG 5. RESOLUTION TO AUTHORIZE LAW DIRECTOR TO DISTRIBUTE FREE PUBLIC OFFICIALS & PUBLIC INSTITUTIONS COPIES OF 2006 SUPPLEMENTAL TO CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR SALE OF SAME; EMERGENCY
Referred to JUDICIARY CMTE
- 1ST RDG 6. AUTHORIZE EDITING & INCLUSION OF CERTAIN CANTON CITY CODIFIED ORDINANCES AS PARTS OF VARIOUS COMPONENT CODES; EMERGENCY
Referred to JUDICIARY CMTE
- 1ST RDG 7. AUTHORIZE OHIO BD OF BLDG STANDARDS CERTIFYING CITY ENFORCEMENT OF RESIDENTIAL CODE OF OHIO EXERCISING ENFORCEMENT AUTHORITY; ACCEPT & APPROVE PLANS & SPECIFICATIONS & MAKE INSPECTIONS; EMERGENCY
Referred to JUDICIARY CMTE
- 1ST RDG 8. AMENDING HEATING, VENTILATING & AIR CONDITIONING CODE, CHAPT 1317; AMENDING RESIDENTIAL BLDG CODE, CHAPT 1333; PURPOSE & SCOPE OF CANTON CODIFIED ORDINANCES CHAPT 1351; EMERGENCY
Referred to JUDICIARY CMTE
- 1ST RDG 9. AUTHORIZE SERVICE DIR TO ACCEPT \$50,000.00 GRANT FR: CANTON REGIONAL CHAMBER OF COMMERCE FOR CANTON CIVIC CENTER RESTROOM RENOVATIONS PROJECT; EMERGENCY
Referred to FINANCE CMTE
- 1ST RDG 10. APPROVING & ACCEPTING REPLAT OF OL #1123 & DEDICATE PART OF GEORGETOWN STREET NE; EMERGENCY
Referred to PUBLIC SAFETY & THOROUGHFARES CMTE
- 1ST RDG 11. AUTHORIZE SAFETY DIR TO ENTER INTO \$72,169.65 AGREEMENT (ENDING 6/5/07) AND \$74,334.73 (ENDING 6/2008) W/CANTON CITY SCHOOL DISTRICT BD. OF ED. TO PROVIDE 2 POLICE OFFICERS; EMERGENCY
Referred to FINANCE CMTE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING - CONTINUED:

- 1ST RDG 12. AUTHORIZE SERVICE DIR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT TO REMODEL SINK AREAS IN CONCESSION STANDS @ CANTON CIVIC CENTER; EMERGENCY
Referred to PUBLIC PROPERTY CAPITAL IMPROVE. & FINANCE CMTE

Recess from 7:46 P.M. to 7:49 P.M.

- 146/2006** 13. AUTHORIZE SERVICE DIR TO ENTER INTO \$24,500.00 PROFESSIONAL SERV. CONTRACT W/GT ENVIRONMENTAL INC. FOR CONSULTING SERVICES TO IMPLEMENT CITY-WIDE CURBSIDE RECYCLING PROGRAM; ACCEPTING GRANT FROM STARK-TUSC-WAYNE JOINT SOLID WASTE MGMT DISTRICT TO PAY FOR PROGRAM; EMERGENCY
Referred to FINANCE CMTE

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#14-18:**

- 2ND RDG 14. AUTHORIZING THE DIR OF PUB. SAF. TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR PURCHASE OF COMPUTERIZED ON-STREET PARKING ENFORCEMENT EQUIPMENT; AUTHORIZING THEIR OF PUB. SAF. TO ALTERNATIVELY PURCHASE COMPUTERIZED ON-STREET PARKING ENFORCEMENT EQUIPMENT; AMENDING APPROPRIATION ORDINANCE #1/2006, AS AMENDED; EMERGENCY

(PST)

- 2ND RDG 15. AMENDING APPROPRIATION ORDINANCE NO.1/2006, AS AMENDED, BY APPROPRIATED UNAPPROPRIATED CASH BALANCES; EMERGENCY (FIN)
- 2ND RDG 16. AUTHORIZING MAYOR AND/OR THE DIR OF PUB SERVICE TO ENTER INTO AN AGREEMENT WITH PUTMAN PROPERTIES, INC IN AN AMOUNT NOT TO EXCEED \$70,000 FOR ENGINEERING WORK TO COMPLETE AN INDUSTRIAL PARK; EMERGENCY (PPCI & FIN)
- 2ND RDG 17. AUTHORIZING THE DIR OF PUB SAFETY TO ACCEPT THE 2006 FIRE SAFETY FUND GRANT FROM ALUMINUM CANS FOR BURNED CHILDREN IN THE AMOUNT OF \$479.30 FOR THE FIRE DEPT.; AMENDING APPROPRIATION ORDINANCE NO. 1/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION FR: UNAPPROPRIATED BAL. OF THE 2813 FIREFIGHTER ASSISTANCE GRANT FUND TO: 2813 FIREFIGHTER ASSISTANCE GRANT; EMERGENCY (FIN)
- 2ND RDG 18. APPROVING A CANTON CITY WATER MAIN EXTENSION TO PLAIN TOWNSHIP; AUTHORIZING THE DIR OF PUB SERVICE TO ENTER INTO CONTRACT FOR THE EXTENSION OF SAID WATER MAIN, EMERGENCY (E&PU)

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

- 147/2006 19. 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
- 148/2006 20. APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOTS 23330 THRU 23334; APPROVING & ACCEPTING THE DEDICATION OF ADDITIONAL RIGHT OF WAY ON 25TH ST NE (HABITAT FOR HUMANITY); EMERGENCY
- 149/2006 21. APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOTS 24279 THRU 24281 (SE CORNER OF 22ND ST NE & SUPERIOR AVE); EMERGENCY
- 150/2006 22. 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
- 151/2006 23. APPROVING & ACCEPTING REPLATTING OF ALL OF LOTS 13800, 13801 & 13802 (CASTLE ROCK HOMES); EMERGENCY

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

- 152/2006 24. 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 OUT LOTS 60 THRU 63, 176, 332 & PART OF LOTS 6475, 6628 & 6494 (NORTH AMERICAN GALVANIZING); EMERGENCY
PUBLIC HRG. 9/11/06 @ 7:30 PM
- 153/2006 25. 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
- 154/2006 26. AUTHORIZING MAYOR TO APPLY FOR, ENTER INTO AGREEMENT & RECEIVE FUNDS FOR 2007 PROGRAM YEAR FR: THE CLEAN OHIO CONSERVATION FUND; EMERGENCY
- 155/2006 27. 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
- 156/2006 28. AUTHORIZING THE DIR OF PUB. SERV. TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR RESTORATION OF LOWER ROOF AREAS OF CITY HALL BLDG; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, SEPTEMBER 18, 2006 @ 6:00 P.M. in Council Caucus Room

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

PUBLIC SPEAKS: Pamela Bradely, re: Problems in the 4th Ward with drugs and loitering.

MISCELLANEOUS BUSINESS: Kelly Zachary, re: Addressing Pamela Bradely's concerns, considering that she is the 4 Ward Councilperson; Bill Smuckler, re: recognizing that the Council President's seat was left vacant during the Council meeting out of respect for deceased Ray Denzak. Also Mr. Smuckler spoke about O.D.O.T. and the completion of the Tuscarawas St. Project, the issue that President Denzak was very compassionate about; Joe Concatto, re: Tuscarawas Street Project and the deadline being October 23rd, advised that this project will continue to be monitored; Bill Smuckler, re: Responding to Mr. Concatto's response; Mary Cirelli, re: Announcing of calling hours for Ray Denzak; Joe Martuccio, re: The 5 year anniversary of 9/11 and memories of President Ray Denzak; Mayor Creighton, re: Kind words about Ray Denzak; Butch Kraus, re: Saying farewell to President Raymond Denzak relaying that he was a great teacher for Butch; Joe Carbenia, re: "Goodnight Ray"

ADJOURNMENT TIME: 8:14 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, SEPTEMBER 18, 2006 @ 7:30PM