

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

SEPTEMBER 18, 2006

ROLL CALL: Thomas West - Absent

INVOCATION: Given by Mary Cirelli, Councilmember-at-Large

PLEDGE OF ALLEGIANCE: Led by Council Vice President Don Casar

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2<sup>ND</sup> Rdg 0#12 - O#22 and R#75)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

VICE PRESIDENT DONALD E CASAR:

EXCUSING MEMBER THOMAS WEST

72. PERSONNEL COMMITTEE:

RE-APPOINTMENT OF JAMES "JEFF" SMITH TO SERVE ON THE CANTON CONSTRUCTION BOARD IN THE CAPACITY OF ELECTRICAL JOURNEYMAN EFFECTIVE 3/1/06 THROUGH 2/28/08. - ADOPTED

73. PERSONNEL COMMITTEE:

APPOINTMENT OF DR. PETER YACOBUCCI TO SERVE ON THE STARK REGIONAL PLANNING COMMISSION EFFECTIVE 8/1/06 THROUGH 9/31/09. - ADOPTED

74. COUNCIL-AS-A-WHOLE

COMMENDING JACKIE DEGARMO FOR HER MANY YEARS OF PUBLIC SERVICE & HER PASSION, ENERGY & COMMITMENT TO EXCELLENCE AS A PUBLIC SERVANT. - ADOPTED

75. COUNCIL-AS-A-WHOLE

DECLARING ITS UNANIMOUS INTENT TO DEVELOP AN AREA KNOWN AS THE STEIN INDUSTRIAL PARK. - ADOPTED

COMMUNICATIONS:

423. AUDITOR, MALLONN (CITY):

SUBMITTING 01/01/06 - 08/31/06 YEARLY REPORT BY FUND. - RECEIVED & FILED

424. AUDITOR, MALLONN (CITY):

SUBMITTING 08/01/06 - 08/31/06 MONTHLY REPORT BY FUND. - RECEIVED & FILED

425. AUDITOR, MALLONN (CITY):

CERTIFICATE OF THE TOTAL AMOUNT FROM ALL SOURCES FOR 2006. - RECEIVED & FILED

426. MAYOR CREIGHTON:

REQUEST AUTHORIZATION FOR APPOINTMENT OF RICHARD GATIEN TO THE INCOME TAX BOARD OF REVIEW UNTIL 02/28/09. - PERSONNEL CMTE

427. MAYOR CREIGHTON:

REQUEST AUTHORIZATION FOR APPOINTMENT OF AMY DREUSSI TO THE STARK REGIONAL PLANNING COMMISSION RETROACTIVE 08/01/06 - 07/31/09. - PERSONNEL CMTE

428. PLANNING COMMISSION:

RECOMMENDING APPROVAL OF VACATIONS OF BELLFLOWER, ROSLYN & MARYLAND AVENUES SW BETWEEN 19<sup>TH</sup> & 21<sup>ST</sup> STREETS SW & 21<sup>ST</sup> ST SW BETWEEN LINWOOD SW & THE EAST SIDE OF 21<sup>ST</sup> SW. (MARATHON PETROLEUM). - PUBLIC SAFETY & THOROUGHFARES CMTE

429. PLANNING COMMISSION:

RECOMMENDING APPROVAL OF REPLAT OF VACATED STREETS, (EXCEPT FOR THE PORTIONS ADJACENT TO LOTS 31922, 31919, & 31785), & THE REPLAT OF LOTS 31725 - 31742, 31782 - 31784, 31786 TO 31814, 31897 - 31918, 31920, 31921, 31989 - 31991, 31994, 31995, 31998, 31999, 32002 TO 32006 & 42272.(MARATHON PETROLEUM). - PUBLIC SAFETY & THOROUGHFARES CMTE

430. PLANNING COMMISSION:

RECOMMENDING APPROVAL OF THE REZONING OF THE NORTH SIDE OF 15<sup>TH</sup> ST SW EAST OF CLARK AVE TO LEE CT FROM B-2 TO R-1a; THE REZONING OF 1501 BELDEN AVE SE (AKA STEIN INDUSTRIAL PARK) FROM I-1 TO I-2; THE REZONING ON THE SOUTH SIDE OF 17<sup>TH</sup> ST SE FROM SOMMERSET SW WEST TO THE START OF THE I-1 LIGHT INDUSTRIAL DISTRICT FROM R-2 TO R-1a (CITY OF CANTON). - JUDICIARY CMTE

431. PLANNING COMMISSION:

RECOMMENDING APPROVAL OF REPLAT OF OUTLOTS 483 - 485 BETWEEN CLEVELAND AVENUE S. & EVERSOLE SW & THE DEDICATION OF A PORTION OF 26<sup>TH</sup> ST SW (WXZ RETAIL). - PUBLIC SAFETY & THOROUGHFARES CMTE

COMMUNICATIONS CONTINUED:

432. PLANNING COMMISSION:

RECOMMENDING APPROVAL OF REPLAT OF OUTLOTS 696 AND 682, LOCATED AT THE SE CORNER OF 7<sup>TH</sup> ST SW & RAFF RD (ZION EVANGELICAL LUTHERAN CHURCH). - PUBLIC SAFETY & THOROUGHFARES CMTE

433. PLANNING COMMISSION:

RECOMMENDING APPROVAL OF REZONING OF PART OF OUTLOTS 483 & 484 FROM B-3 & R-1a TO PB-3 (WXZ RETAIL). - JUDICIARY CMTE

434. PLANNING COMMISSION RECOMMENDING APPROVAL OF THE REPLAT OF LOTS 14661 - 14663, LOCATED ON THE NW CORNER OF 7<sup>TH</sup> ST NE & WEBSTER AVE (CITY OF CANTON). - PUBLIC SAFETY & THOROUGHFARES CMTE
435. PLANNING COMMISSION RECOMMENDING APPROVAL OF THE REPLAT OF PART OF LOTS 4682 - 4684, LOCATED AT THE NE CORNER OF TYLER AVE SE & 4<sup>TH</sup> ST (CITY OF CANTON). - PUBLIC SAFETY & THOROUGHFARES CMTE
436. SAFETY DIR., HUNT: REQUEST FOR APPROVAL FOR 20 PROPERTIES TO BE CERTIFIED FOR DEMOLITION. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
437. SERVICE DIR., CONCATTO: REQUEST AN ORDINANCE AUTHORIZING THE CITY TO APPROPRIATE PROPERTY OWNED BY GROFFRE INVESTMENTS, PARCEL #84-00013, PROJECT, WITHIN ITS CORP. LIMITS, FOR THE PURPOSE OF ACQUIRING A STANDARD HIGHWAY EASEMENT & TEMPORARY RIGHT OF WAYS EASEMENT NECESSARY FOR THE COLUMBUS RD./HARMONT AVE. NE INTERSECTION PROJECT. - PUBLIC SAFETY & THOROUGHFARES CMTE
438. TREASURER, SCHIRACK: REPORTS OF THE TREASURER'S OFFICE BANK RECONCILIATIONS & THE CITY'S OUTSTANDING INVESTMENTS AS OF 08/31/06. - RECEIVED & FILED
439. WILLIAMS, ERIC, ATTORNEY: NOTICE OF ADMINISTRATIVE APPEAL FOR FILING IN THE CASE: PLAIN TOWNSHIP BOARD OF TRUSTEES V. BOARD OF COUNTY COMMISSIONERS, STARK COUNTY, ET AL. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1<sup>ST</sup> RDG 1. ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZE THE SALE & CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY  
Referred to COMMUNITY & ECONOMIC DEV. CMTE.
- 1<sup>ST</sup> RDG 2. AUTHORIZE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT W/HYDRODEC GROUP PLC TO PROVIDE A REAL PROPERTY TAX EXEMPTION; AUTHORIZE THE AUDITOR TO MAKE PAYMENTS TO THE CANTON LOCAL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82 ( C ) AND (D) OF THE REVISED CODE; EMERGENCY  
Referred to COMMUNITY & ECONOMIC DEV. CMTE.
- 1<sup>ST</sup> RDG 3. AUTHORIZE MAYOR OR DIR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT W/HYDRODEC GROUP PLC PURSUANT TO THE CITY'S JOB CREATION INCENTIVE PROGRAM; EMERGENCY  
Referred to COMMUNITY & ECONOMIC DEV. CMTE.
- 1<sup>ST</sup> RDG 4. AUTHORIZE THE DIR OF PUBLIC SAFETY TO DONATE USED FIRE EQUIPMENT TO STARK STATE COLLEGE OF TECHNOLOGY  
Referred to PUBLIC PROPERTY CAPITAL IMPROVEMENT CMTE.
- 1<sup>ST</sup> RDG 5. AUTHORIZE THE AUDITOR TO ESTABLISH AND/OR MAINTAIN PETTY CASH AND/OR CHANGE DRAWER FUNDS FOR VARIOUS CITY DEPARTMENTS; EMERGENCY  
Referred to FINANCE CMTE.
- 1<sup>ST</sup> RDG 6. AUTHORIZE THE DIR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH ANGELA JACOBY CAVENAUGH FOR PLANS EXAMINATION DUTIES FO THE BUILDING DEPT.; EMERGENCY  
Referred to FINANCE CMTE.
- 1<sup>ST</sup> RDG 7. AMENDING APPROPRIATION ORDINANCE NO. 1/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$4,213.00 FR: UNAPPROPRIATED BAL. OF THE 2111 STREET MAINTENANCE FUND TO: 2111 10-40-20 TRAFFIC SIGNAL AND IN THE AMOUNT OF \$1,341.00 FR: UNAPPROPRIATED BAL. OF THE 2111 STREET MAINTENANCE FUND TO: 2111 10-40-10 TRAFFIC SIGN & PAINT; EMERGENCY  
Referred to FINANCE CMTE.

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1<sup>ST</sup> RDG 8. AUTHORIZE THE DIR OF PUBLIC SERVICE TO ENTER INTO A CHANGE ORDER WITH FLOYD BROWNE GROUP IN AN AMOUNT NOT TO EXCEED \$8,014.00 FOR ADDITIONAL EXPENSES RELATING TO THE TITLE V PERMIT PROJECT FOR THE WATER POLLUTION CONTROL CENTER; AMENDING APPROPRIATION ORDINANCE NO. 1/2006; EMERGENCY  
Referred to FINANCE CMTE.
- 1<sup>ST</sup> RDG 9. AMENDING APPROPRIATION ORDINANCE NO. 1/2006, AS AMENDED, BY MAKING VARIOUS SUPPLEMENTAL APPROPRIATIONS; EMERGENCY  
Referred to FINANCE CMTE.
- 1<sup>ST</sup> RDG 10. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID & DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES; EMERGENCY  
Referred to FINANCE CMTE.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:SUSPENDED RULE 22A TO ADD O#12-22:**RETAINED IN COMMITTED**

- 2<sup>ND</sup> RDG 11. 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 (C & ED)
- 2<sup>ND</sup> RDG 12. 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 (C & ED)
- 2<sup>ND</sup> RDG 13. 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 (C & ED and FIN)
- 2<sup>ND</sup> RDG 14. 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 (I & PS)
- 2<sup>ND</sup> RDG 15. 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 (JUD)
- 2<sup>ND</sup> RDG 16. AUTHORIZE EDITING & INCLUSION OF CERTAIN CANTON CITY CODIFIED ORDINANCES AS PARTS OF VARIOUS COMPONENT CODES; EMERGENCY (JUD)
- 2<sup>ND</sup> RDG 17. AUTHORIZE OHIO BD OF BLDG STANDARDS CERTIFYING CITY ENFORCEMENT OF RESIDENTIAL CODE OF OHIO EXERCISING ENFORCEMENT AUTHORITY; ACCEPT & APPROVE PLANS & SPECIFICATIONS & MAKE INSPECTIONS; EMERGENCY (JUD)
- 2<sup>ND</sup> RDG 18. AMENDING HEATING, VENTILATING & AIR CONDITIONING CODE, CHAPT 1317; AMENDING RESIDENTIAL BLDG CODE, CHAPT 1333; PURPOSE & SCOPE OF CANTON CODIFIED ORDINANCES CHAPT 1351; EMERGENCY (JUD)
- 2<sup>ND</sup> RDG 19. AUTHORIZE SERVICE DIR TO ACCEPT \$50,000.00 GRANT FR: CANTON REGIONAL CHAMBER OF COMMERCE FOR CANTON CIVIC CENTER RESTROOM RENOVATIONS PROJECT; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 20. APPROVING & ACCEPTING REPLAT OF OL #1123 & DEDICATE PART OF GEORGETOWN STREET NE; EMERGENCY (PS & T)
- 2<sup>ND</sup> RDG 21. 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 (FIN)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2<sup>ND</sup> RDG 22. AUTHORIZE SERVICE DIR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT TO REMODEL SINK AREAS IN CONCESSION STANDS @ CANTON CIVIC CENTER; EMERGENCY (PPCI & FIN)

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

- DEFEATED** 23. AUTHORIZING THE DIR OF PUB. SAF. TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR PURCHASE OF COMPUTERIZED ON-STREET PARKING ENFORCEMENT EQUIPMENT; AUTHORIZING DIR OF PUB. SAF. TO ALTERNATIVELY PURCHASE COMPUTERIZED ON-STREET PARKING ENFORCEMENT EQUIPMENT; AMENDING APPROPRIATION ORDINANCE #1/2006, AS AMENDED; EMERGENCY
- 157/2006** 24. AMENDING APPROPRIATION ORDINANCE NO.1/2006, AS AMENDED, BY APPROPRIATED UNAPPROPRIATED CASH BALANCES; EMERGENCY

**AMENDED**

- 158/2006** 25. 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
- 159/2006** 26. 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

- 160/2006 27.** 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, SEPTEMBER 25, 2006 @ 6:00 P.M. in Council Caucus Room

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

PUBLIC SPEAKS: Frank Morris, re: Problems with Canton Little League & Weiss Field; Will Disman, re: Problems with Canton Little League & Weiss Field; Tammy LaMotte, re: Petition for Canton Little League; Karen Mills, re: Problems with Canton Little League; James Mills, re: Problems with Canton Little League; Mike Myers, re: Problems with Canton Little League; Dave Capalingo, re: Problems with Canton Little League & Weiss Field; John McKenna, re: Problems with Canton Little League and Weiss Field; Raymond Coss, re: Problems with Canton Little League; Yolanda Walker, re: Conditions of Riverside Park and Mighty Mights; Maryellen Cameron, re: Upset because I.C.A.N. was not on the Agenda; Don Peterson, re: Problems with Canton Little League and Weiss Field.

MISCELLANEOUS BUSINESS: Don Casar, re: Advising that the City nor Council have control over who plays on which field or how the fields are maintained, that being the responsibility of The Recreation Board. Recommending mediation; Bill Smuckler, re: Asking Law Director Martuccio if by law the Recreation Board does determine who will use these fields; Joe Martuccio, re: Advising that Council has delegated control to the Recreation Board. Also recommending mediation and offering to help initiate it; Bill Smuckler, re: Asked Law Director Martuccio to meet with the Canton Little League group after Council meeting; Joe Carbenia, re: Parks in his ward should be maintained. He would like to help the league with getting mediation process started as well; Kelly Zachary, re: Asking if Council has any influence over the Board since money is appropriated to them; Don Casar, re: Advising Member Zachary that the City does not appropriate money to the Recreation Board.

ADJOURNMENT TIME: 8:43 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, SEPTEMBER 25, 2006 @ 7:30PM