

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

OCTOBER 2, 2006

ROLL CALL: Bill Smuckler - Absent

INVOCATION: Given by Greg Hawk, Ward 1 Council Member

PLEDGE OF ALLEGIANCE: Led by Council President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#12 - #15; Suspended Rule 24 to add R#79 - #80)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

VICE PRESIDENT DONALD CASAR: EXCUSING MEMBER BILL SMUCKLER

SUSPENDED RULE 24 TO ADD R#79 - #80

79. KRAUS, B., WARD 8 COUNCILMEMBER REQUESTING A STREET LIGHT ON THE 47TH ST NE BETWEEN GARDENDALE NE & 49TH ST NE. - ADOPTED

80. KRAUS, B., WARD 8 COUNCILMEMBER REQUESTING A STREET LIGHT ON 49TH ST NE BETWEEN GARDENDALE NE & BEVERLY NE. - ADOPTED

COMMUNICATIONS:

451. AUDITOR, MALLONN (CITY): FISCAL OFFICER'S CERTIFICATE FOR BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,030,000 FOR COSTS OF CONSTRUCTING & IMPROVING CITY RECREATION FACILITIES. - RECEIVED & FILED

452. AUDITOR, MALLONN (CITY): FISCAL OFFICER'S CERTIFICATE FOR BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,485,000 FOR COSTS OF CONSTRUCTING AND IMPROVING CITY ROADS. - RECEIVED & FILED

453. AUDITOR, MALLONN (CITY): FISCAL OFFICER'S CERTIFICATE FOR BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$8,580,000 FOR COSTS OF ACQUIRING, CONSTRUCTING AND IMPROVING CITY BUILDINGS. - RECEIVED & FILED

454. AUDITOR, PEREZ (COUNTY): ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED 12/31/05. - RECEIVED & FILED

455. DUTTON, JEFF, COUNTY ADMIN.: LETTER DATED 9/15/06, APPROVING RESOLUTION OF COMMISSIONERS, AUDITOR'S REPORT, SANITARY ENGINEER'S REPORT, ENGINEER'S REPORT, PROOF OF NOTIFICATION OF FILING TO TWP CLERK, PROOF OF NOTIFICATION OF FILING TO CITY CLERK, JOURNAL ENTRY OF FILING OF PETITION, STATEMENT BY AGENT, DESCRIPTION, FILING DATA, PETITION AND MAP FOR DIANO ANNEXATION. - ANNEXATION COMMITTEE

456. LAW DIR., MARTUCCIO: REQUEST AUTHORIZATION TO CLARIFY & AMEND SECTION 151.10, HEALTH AND WELFARE BENEFITS, OF THE CODIFIED ORDINANCES OF THE CITY. - JUDICIARY COMMITTEE

457. LIQUOR CONTROL DIVISION (OHIO) SUBMITTING NOTICE OF HEARING FOR THE TRANSFER OF OWNERSHIP ON 10/18/06 @ 10:30 A.M. (CANTON SOUTH DRIVE THRU, INC, 1837 CLEVELAND AVE SW). - RECEIVED & FILED

458. LIQUOR CONTROL DIVISION (OHIO) SUBMITTING NOTICE OF HEARING FOR A NEW PERMIT ON 10/18/06 @ 11:30 A.M. (MURPHY OIL USA, INC, dba MURPHY USA #7163). - RECEIVED & FILED

459. MARION, WAYNE, APPLICANT: ZONE CHANGE APPLICATION FOR 1037 DUEBER AVE SW FR: B-2 TO: PB-4 (WAYNE MARION ROOFING & HOME IMPROVEMENT). - PLANNING COMMISSION

460. MAYOR CREIGHTON: LETTER DATED 9/27/06 TOGETHER WITH PROCEDURES THAT THE WATER DEPARTMENT USES TO PROCESS DELINQUENT ACCOUNTS. - RECEIVED & FILED

461. MAYOR CREIGHTON: REQUEST AUTHORIZATION TO APPOINT DENNIS TRENGER TO THE SYSTEMS PLANNING BOARD EFFECTIVE FR: 10/1/06 - 9/30/08. - PERSONNEL COMMITTEE

COMMUNICATIONS CONTINUED:

462. REMARK, CHRIS, APPLICANT: APPLICATION FOR STREET VACATION OF PORTION OF MOSLEY CT SW LOCATED BETWEEN ARLINGTON AVE SW & BEDFORD AVE SW (AULTMAN HEALTH FOUNDATION). - PLANNING COMMISSION

463. SAFETY DIR., HUNT: REQUEST AUTHORIZATION OF SUPPLEMENTAL APPROPRIATION FOR THE ENGINEERING DEPT OF \$5,429.15 FR: UNAPPROPRIATED BALANCE OF 2111 STREET MAINTENANCE FUND TO: 2111 10-40-20 75806 MAJOR EQUIPMENT. - FINANCE COMMITTEE

464. SERVICE DIR., CONCATTO: REQUEST PAYMENT AUTHORIZATION OF \$825.39 TO OFFICE MAX CONTRACT, INC FOR AN OUTSTANDING INVOICE FOR COPY PAPER. - FINANCE COMMITTEE
465. SPRING, ROBERT, APPLICANT: APPLICATION FOR ALLEY VACATION FOR TWO 10' WIDE ALLEYS ON 3RD ST SW BETWEEN PARCEL #02-47056 & PARCEL #02-84742 & A 10' WIDE ALLEY LOCATED JUST NORTH OF ABOVE MENTIONED PARCELS (JBHR ENTERPRISE). - PLANNING COMMISSION
466. WILLIAMS, ERIC, ATTORNEY NOTICE OF FILING OF TRANSCRIPT OF PROCEEDINGS FOR FILING IN THE CASE: PLAIN TWP BOARD OF TRUSTEES V. BOARD OF COUNTY COMMISSIONERS, STARK COUNTY, ET AL. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES & CERTIFYING THEM TO THE COUNTY AUDITOR.
Referred to FINANCE COMMITTEE
- 1ST RDG 2. AUTHORIZE THE CITY AUDITOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH SQUIRE, SANDERS & DEMPSEY, LLP FOR LEGAL & FINANCIAL UNDERWRITING SERVICES ASSOCIATED WITH THE CITY'S 2006 BOND ISSUANCE; EMERGENCY.
Referred to FINANCE COMMITTEE
- 1ST RDG 3. PROVIDE FOR THE ISSUANCE & SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,030,000 FOR THE COSTS OF CONSTRUCTING & IMPROVING CITY RECREATION FACILITIES; EMERGENCY.
Referred to FINANCE COMMITTEE
- 1ST RDG 4. PROVIDE FOR THE ISSUANCE & SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,485,000 FOR THE COSTS OF CONSTRUCTING & IMPROVING CITY ROADS; EMERGENCY
Referred to FINANCE COMMITTEE
- 1ST RDG 5. PROVIDE FOR THE ISSUANCE & SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$8,580,000 FOR THE COSTS OF ACQUIRING, CONSTRUCTING AND IMPROVING CITY BUILDINGS; EMERGENCY
Referred to FINANCE COMMITTEE
- 1ST RDG 6. PROVIDE FOR THE ISSUANCE & SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$7,535,000 FOR THE PURPOSE OF REFUNDING AT A LOWER INTEREST COST \$7,325,000 OF THE CITY'S OUTSTANDING WATERWORKS SYSTEM IMPROVEMENT BONDS, SERIES 1995, DATED AS OF 2/1/95 & STATED TO MATURE ON 12/1 IN 2010 & 2015, WHICH WERE ISSUED FOR THE PURPOSE OF IMPROVING & EXPANDING THE MUNICIPAL WATERWORKS SYSTEM BY ACQUIRING, CONSTRUCTING, RECONSTRUCTING & OTHERWISE IMPROVING STRUCTURES & FACILITIES FOR RAW WATER TREATMENT, FINISHED WATER STORAGE & DISTRIBUTION & WATERWORKS ADMINISTRATION & SERVICE; EMERGENCY
Referred to FINANCE COMMITTEE
- 1ST RDG 7. AUTHORIZE THE AUDITOR TO ESTABLISH THE 2410 EMPLOYEE RECOGNITION FUND; AMENDING APPROPRIATION ORDINANCE NO. 1/2006, AS AMENDED; EMERGENCY
Referred to FINANCE COMMITTEE
- 1ST RDG 8. AUTHORIZE THE MAYOR TO ACCEPT A GRANT IN THE AMOUNT OF \$723,975.00; AUTHORIZE THE AUDITOR TO ESTABLISH THE 2428 "CONVENTION CENTER FEASIBILITY GRANT FUND"; AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH CORMONY DEVELOPMENT, LLC; AMENDING APPROPRIATION ORDINANCE 1/2006, AS AMENDED; EMERGENCY.
Referred to FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 9. APPROVE A CONTRACT AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON & THE CANTON PROFESSIONAL FIREFIGHTERS ASSOC. LOCAL 249; EMERGENCY.
Referred to FINANCE & PERSONNEL COMMITTEE
- 1ST RDG 10. AUTHORIZE THE DIR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #4 WITH TAB CONSTRUCTION CO., INC. IN AN AMOUNT NOT TO EXCEED \$85,742.45 FOR THE 4TH STREET/SHORB AVE NW IMPROVEMENT PROJECT; EMERGENCY.
Referred to FINANCE COMMITTEE
- 1ST RDG 11. AUTHORIZE THE DIR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH SBC GLOBAL SERVICES, INC. DBA AT&T GLOBAL SERVICES TO PROVIDE PHONE CARRIER SERVICES TO THE CITY OF CANTON; EMERGENCY.
Referred to FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

SUSPENDED RULE 22A TO ADD O#12 - #15:

- 2ND RDG 12. RETAINED IN COMMITTEE FROM 9/18/06 AUTHORIZE THE DIR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH ANGELA JACOBY CAVENAUGH FOR PLANS EXAMINATION DUTIES FOR THE BUILDING DEPT.; EMERGENCY (FIN)
- 2ND RDG 13 . APPROVING & ACCEPTING REPLATTING OF OL 696 & 682; EMERGENCY (Zion Evangelical Lutheran Church) (PS&T)
- 2ND RDG 14 . APPROVING & ACCEPTING REPLATTING OF LOTS 14661 THRU 14663 & DEDICATION OF PORTION OF 7TH ST NE; EMERGENCY (PS&T)
- 2ND RDG 15 . AUTHORIZE LAW DIRECTOR TO APPROPRIATE REAL PROPERTY W/THE COLUMBUS RD/HARMONT AVE NE INTERSECTION PROJECT; EMERGENCY (PS&T)

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

- 173/2006 16. 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
- 174/2006 17. 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
- 175/2006 18. 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
- 176/2006 19. AUTHORIZE THE DIR OF PUBLIC SAFETY TO DONATE USED FIRE EQUIPMENT TO STARK STATE COLLEGE OF TECHNOLOGY
- AMENDED**
177/2006 20. AUTHORIZE THE AUDITOR TO ESTABLISH AND/OR MAINTAIN PETTY CASH AND/OR CHANGE DRAWER FUNDS FOR VARIOUS CITY DEPARTMENTS; EMERGENCY
- 178/2006 21. 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
- 179/2006 22. 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
- 180/2006 23. AMENDING APPROPRIATION ORDINANCE NO. 1/2006, AS AMENDED, BY MAKING VARIOUS SUPPLEMENTAL APPROPRIATIONS; EMERGENCY
- 181/2006 24. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID & DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, OCTOBER 16, 2006 @ 6:15 P.M. in Council Caucus Room

- 1) Finance Committee
- 2) Personnel Committee

PUBLIC SPEAKS: (None)

MISCELLANEOUS BUSINESS: Mayor Creighton, re: Requesting the Pool Committee to meet on October 16, 2006 at 5:30 P.M. on the 8th Floor; Mary Cirelli, re: Telling Mayor she wanted to compliment Kevin Monroe on his speedy return of his email; Kelly Zachary, re: Inviting everyone to the S.A.R.T.A. "Community in Motion" event in Canton on October 4th, in Massillon on October 5th, and in Alliance on October 6th.

ADJOURNMENT TIME: 7:57 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 16, 2006 @ 7:30PM