

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

NOVEMBER 6, 2006

ROLL CALL: All Councilmembers present

INVOCATION: Given by Dave Dougherty, Ward 6 Council Member

PLEDGE OF ALLEGIANCE: Led by Council President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#5 - #8; Suspended Rule 22A to add 1<sup>st</sup> Rdg O#1 - #2)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

VICE PRESIDENT DON CASAR: EXCUSING MEMBERS (Not Necessary, all members present)

84. COUNCIL-AS-A-WHOLE & PRES SCHULMAN: COMMENDING JULIE HERMAN, TEACHER, FOR RECEIVING THE MILKEN NATIONAL EDUCATOR AWARD. - ADOPTED **(PUT BACK ON THE AGENDA FOR PURPOSES OF PRESENTATION)**

87. PERSONNEL COMMITTEE: CONFIRMING THE IMMEDIATE APPOINTMENT OF MARCIA ZAWACKY TO THE FAIR HOUSING BOARD EXPIRING 12/31/07. - ADOPTED

88. PERSONNEL COMMITTEE: CONFIRMING THE IMMEDIATE APPOINTMENT OF WILLIAM EUSTATHIOS TO THE BOARD OF BUILDING APPEALS EXPIRING 12/31/08. - ADOPTED

COMMUNICATIONS:

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

516. AUDITOR, MALLONN (CITY): SUBMITTING 10/01/06 - 10/31/06 MONTHLY REPORT BY FUND. - RECEIVED & FILED

517. AUDITOR, MALLONN (CITY): SUBMITTING 01/01/06 - 10/31/06 YEARLY REPORT BY FUND. - RECEIVED & FILED

518. EHRET, DAVID, APPLICANT: ZONE CHANGE APPLICATION FOR 405 THE O'JAYS PARKWAY, FR: B-3 TO PB-4 FOR DETAILING OF VEHICLES. (TARGET INVESTMENTS, INC.) - PLANNING COMMISSION

519. LAW DIR., MARTUCCIO: REQUESTING TO AUTHORIZE LEGISLATION FOR THE STATEMENT OF SERVICES AND THE CEDA DEVELOPED THROUGH THE EFFORT OF THE TOWNSHIPS & CITY PERSONNEL. (STARK CERAMICS, INC.; KOCH KNIGHT & THE QUARRY CEDA ANNEXATION). - ANNEXATION COMMITTEE

520. MAYOR CREIGHTON: REQUEST AUTHORIZATION TO APPOINT VIRGINIA JEFFRIES TO THE CANTON FAIR EMPLOYMENT PRACTICES BOARD EFFECTIVE UPON COUNCIL'S CONFIRMATION, EXPIRING ON 2/28/09. - PERSONNEL COMMITTEE

521. MAYOR CREIGHTON: REQUEST AUTHORIZATION TO APPOINT SUE MEISTER FOR 3 YRS, AMANDA KENDLE FOR 2 YRS, ROSEMARY RUBIN FOR 3 YRS, JANICE PORTER FOR 2 YRS & KEITH KIMBLE FOR 3 YRS, TO THE SOLID WASTE TASK FORCE. - PERSONNEL COMMITTEE

522. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED VACATION OF HOOVER PL NW BETWEEN CLEVELAND AVENUE N AND MINERVA COURT. (JAMES BEITZEL). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

523. SAFETY DIR., HUNT: ADVISING OF THE DEMOLITION OF THE WAREHOUSE LOCATED AT 1018 MCKINLEY AVE SW FOLLOWING A FIRE ON 10/19/06; ADVISING OF AN ESTIMATE BY COTTRILL WRECKING CO., FOR \$96,000. - RECEIVED & FILED

524. SAFETY DIR., HUNT: AUTHORIZE THE DIR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH MOTOROLA, INC FOR THE PURCHASE OF RADIOS & RELATED EQUIPMENT FOR THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$24,784. - FINANCE COMMITTEE

525. SERVICE DIR., CONCATTO: AUTHORIZE THE DIR OF PUBLIC SERVICE TO ENTER INTO A LEASE AGREEMENT W/STARK COUNTY EDUCATION SERVICE CENTER TO

COMMUNICATIONS CONTINUED:

LEASE 2 CLASSROOMS LOCATED WITHIN THE EDWARD L. "PEEL" COLEMAN COMMUNITY CENTER EFFECTIVE RETROACTIVE 8/21/06 TO 6/8/07 FOR \$3,000/MONTH. - FINANCE COMMITTEE

526. SERVICE DIR., CONCATTO: AUTHORIZE DIR OF PUBLIC SERVICE TO ENTER INTO A 99 YR

(RENT FREE) LEASE FOR THE USE OF A PARKING LOT OWNED BY ARTS IN STARK. - JUDICIARY COMMITTEE

527. STARK COUNTY COMMISSIONERS: ADVISING OF A PUBLIC HRG., FOR PROPOSED ANNEXATION OF 72.782 ACRES IN PLAIN TWP., TO THE CITY OF CANTON (REIFSNYDER PARK/PARK POULTRY ANNEXATION). - RECEIVED & FILED
528. YOUTH DEV., DIR., GISSENDANER: REQUEST PAYMENT FOR SERVICES RENDERED TO VENDORS FOR THE SUMMER FOOD PROGRAM 2006 IN THE AMOUNT OF \$342.05. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 203/2006** 1. AUTHORIZE THE MAYOR TO ENTER INTO COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENTS W/ OSNABURG & CANTON TWPS ON PROPERTY LOCATED IN THE STARK CERAMICS, INC.; KOCH KNIGHT & THE QUARRY ANNEXATION AREA; ESTABLISHED PUBLIC HRG 12/5/06 AT 7:00 PM; EMERGENCY  
Referred to ANNEXATION COMMITTEE
- 204/2006** 2. RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNERS IN THE STARK CERAMICS, INC.; KOCH KNIGHT & THE QUARRY ANNEXATION AREA UPON ITS BEING ANNEXED INTO THE CITY OF CANTON, OH; EMERGENCY  
Referred to ANNEXATION COMMITTEE
- 1<sup>ST</sup> RDG 3. AUTHORIZE THE DIR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH COOPER & ASSOC., IN AN AMOUNT NOT TO EXCEED \$53,500 TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE OSNABURG TWP., WATER MAIN EXTENSION PROJECT; AMEND APPROPRIATION ORD NO. 1/2006, AS AMENDED, BY MAKING \$53,500 SUPPLEMENTAL APPROPRIATION FR: UNAPP. BAL. OF 5201 FUND TO: 5201 207022 DISTRIBUTION MAINTENANCE; EMERGENCY  
Referred to FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
- 1<sup>ST</sup> RDG 4. AUTHORIZE THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$41,359 TO ESTABROOK CORP.; EMERGENCY  
Referred to FINANCE COMMITTEE

**7:43 P.M. Recess for Committee regarding Ordinance #1 and #2**

**7:51 P.M. Back from Recess**

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

**SUSPENDED RULE 22A TO ADD O#5 - #8;**

- 2<sup>ND</sup> RDG 5. AMENDING SECTIONS 157.01 & 157.05, CHAPTER 157, MINORITY EMPLOYMENT OPPORTUNITY OF POLICE & FIRE ADMINISTRATIVE CODE OF CODIFIED ORDINANCES (JUD)
- 2<sup>ND</sup> RDG 6. AUTHORIZE THE DIR OF PUBLIC SAF TO ACCEPT DONATION ASSISTING IN PURCHASE OF SMOKE DETECTORS; AMEND APPROPRIATION ORD NO. 1/2006, AS AMENDED, BY MAKING \$1,000 SUPPLEMENTAL APPROPRIATION FR: UNAPP. BAL. OF 2783 FIRE DONATION FUND TO: 2783 FIRE DONATION FUND; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 7. AUTHORIZE THE DIR OF PUBLIC SERV TO ENTER INTO AGREEMENT W/THE STARK CTY METROPOLITAN SEWER DISTRICT FOR PURCHASE OF SANITARY SEWER CONVEYANCE RIGHTS IN AN AMT NOT TO EXCEED \$91,136.09; EMERGENCY (FIN and E&PU)
- 2<sup>ND</sup> RDG 8. AUTHORIZE THE AUDITOR TO PAY MORAL OBLIGATIONS IN AMOUNTS NOT TO EXCEED \$3,155.96 TO EWING CHEVROLET & \$4,862.81 TO TREAD CORP; EMERGENCY. (FIN)

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

- 205/2006** 9. APPROVE & ACCEPT THE REPLAT OF LOTS 4682 THRU 4684; APPROVE & ACCEPT THE DEDICATION OF A PORTION OF THE INTERSECTION OF TYLER AVENUE SE & 4TH STREET SE; EMERGENCY

**AMENDED**

- 206/2006** 10. AUTHORIZE THE MAYOR OR DIR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT W/COT-PURITECH PURSUANT TO THE CITY'S JOB CREATION INCENTIVE PROGRAM; EMERGENCY.

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

- 207/2006** 11. AUTHORIZE THE MAYOR OR DIR OF PUBLIC SERVICE TO ACCEPT A \$120,000 PER YEAR GRANT FOR A 3-YEAR FAIR HOUSING ASSISTANCE PROGRAM; AUTHORIZE THE MAYOR OR DIR OF PUBLIC SERVICE TO ENTER INTO A MONTH TO MONTH CONTRACT W/STARK COUNTY REGIONAL PLANNING COMMISSION TO PROVIDE FAIR HOUSING SERVICES FOR THE CITY OF CANTON; EMERGENCY.
- 208/2006** 12. AUTHORIZE THE MAYOR TO FILE W/THE US DEPT OF HOUSING & URBAN DEVELOPMENT A 2007 CONSOLIDATED PLAN FOR THE 2007 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, 2007 HOME INVESTMENT PARTNERSHIP PROGRAM & 2007 EMERGENCY SHELTER GRANT PROGRAM; RATIFYING SUBMISSION & FILING OF SAID PLAN; AUTHORIZE THE MAYOR

TO EXECUTE GRANT AGREEMENTS W/THE US DEPT OF HOUSING & URBAN DEVELOPMENT & TO ACCEPT FUNDING FOR THE 3 PROGRAMS; EMERGENCY

- 209/2006** 13. AUTHORIZE THE MAYOR TO ENTER INTO A FUNDING AGREEMENT W/STARK COUNTY OUT OF POVERTY PARTNERSHIP, INC., TO PROVIDE HOME FUNDS IN AN AMOUNT NOT TO EXCEED \$240,000 FOR THE WILLOW PARK HOUSING PROJECT; EMERGENCY.
- 210/2006** 14. APPROVE & ACCEPT REPLAT OF LOTS 7891 AND 40796; APPROVE & ACCEPT THE DEDICATION OF ADDITIONAL RIGHT-OF-WAY FOR A 15 FOOT TURN-OUT RADIUS; EMERGENCY.
- 211/2006** 15. APPROVE & ACCEPT REPLAT OF PART OF LOT 793; EMERGENCY.
- 212/2006** 16. APPROVE & ACCEPT REPLAT OF PART OF OUTLOT 215; EMERGENCY.
- 213/2006** 17. AUTHORIZE THE DIR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT AMENDMENT W/MERCY MEDICAL CENTER & CONCERN; EMERGENCY.
- 214/2006** 18. AUTHORIZE THE DIR OF PUBLIC SERVICE TO ENTER INTO AMENDED CONTRACTS W/OHIO POWER CO., TO PROVIDE ELECTRIC ENERGY TO THE HARRISBURG RD., N.E., WATER FIELD & SUGARCREEK WATER FIELD; EMERGENCY.
- 215/2006** 19. AUTHORIZE THE DIR OF PUBLIC SERVICE TO ENTER INTO A 5 YEAR LEASE/PURCHASE CONTRACT W/DIGITAL & ANALOG DESIGN CORP. FOR VOICE COMMUNICATION SYSTEM EQUIPMENT PURSUANT TO O.R.C. SECTION 125.04; AUTHORIZE THE DIR OF PUBLIC SERVICE TO ENTER INTO CONTRACT W/KEY GOVERNMENT FINANCE, INC. FOR A TAX-EXEMPT MUNICIPAL GOVERNMENT LEASE FOR THE PURCHASE OF SAID EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$750,000; EMERGENCY.
- 216/2006** 20. RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY TO THE PROPERTY OWNER IN THE REIFSNYDER PARK/PARK POULTRY ANNEXATION AREA UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; EMERGENCY
- 217/2006** 21. RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE HARMONT EAST ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; EMERGENCY.

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, NOVEMBER 13, 2006 @ 6:30 P.M. IN CAUCUS ROOM

1. Finance Committee
2. Personnel Committee

PUBLIC SPEAKS: (None)

MISCELLANEOUS BUSINESS: Mayor Creighton re: advising of the Water Facility Committee Meeting 11/13/06 @ 5:30 PM; Dave Dougherty re: advising of the Canton Community Forum meeting on 11/8/06 @ 5:30 P.M. @ The William Hunter Center; Mary Cirelli re: Requesting Council President to change the clock in Council Chambers; Richard Hart re: Countywide Landfill; Joe Martuccio re: Responding to Member Hart regarding the Countywide Landfill; Richard Hart re: Congratulating Member Carbenia's granddaughter, Maria for receiving the Wildcat of the Month Award, also asking Joe Martuccio if there will be a party when he wins an Academy Award; Joe Martuccio re: Advising Member Hart that he can't promise an Academy Award; Don Casar re: Advising that Joe Martuccio has a request; Joe Martuccio re: Requesting an Executive Session.

ADJOURNMENT TIME: 9:15 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, NOVEMBER 13, 2006 @ 7:30PM