

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

NOVEMBER 17, 2003

ROLL CALL:

INVOCATION: Given by 8<sup>th</sup> Ward Councilmember Rosemary Diamond

PLEDGE OF ALLEGIANCE: Led by President of Council President Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspend Rule 22A to add 2<sup>nd</sup> Rdg O#2-21)

PUBLIC HEARINGS:

7:30 PM A REQUEST BY EUGENE DEAL OF PREMIER OFFICE COMPLEX TO VACATE MELCHOIR PL SW FROM EAST LINE OF COURT AVE SW TO WEST LINE OF MARKET AVE SOUTH.  
(PLANNING COMMISSION RECOMMENDS APPROVAL) (See O#23, 3<sup>rd</sup> Rdg)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY):

INFORMAL RESOLUTIONS:

VICE PRESIDENT SMUCKLER: EXCUSING MEMBERS

COMMUNICATIONS:

460. AUDITOR PEREZ: REQUEST FOR ADDITIONAL AMENDED CERTIFICATE DATED 11/12/03. - CLERK OF COUNCIL
461. CLERK OF COUNCIL VANCKUNAS: ALL OBJECTIONS TO 2004 LIQUOR PERMIT RENEWALS MUST BE SUBMITTED TO CLERK NO LATER THAN 11/24/03. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE (See C#464)
462. HAWK, WARD 2 MEMBER & MROCKOWSKI, WARD 5 MEMBER: REQUESTING AN ORDINANCE AMENDING O.164/2001 TO EXCLUDE CERTAIN POLICE & FIRE DEPT EMPLOYEES AND FIDUCIARY STAFF OF AUDITOR'S OFFICE FROM WAGE SCHEDULE FOR MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES; INCLUDE ANNUAL EVALUATIONS FOR CERTAIN MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES BUT EXCLUDING FIDUCIARY EMPLOYEES IN THE AUDITOR'S OFFICE; & AMENDING EXHIBIT A, CLASSIFICATION PLAN. - LAW DIRECTOR (See O#1, 1<sup>st</sup> Rdg)
463. LIQUOR CONTROL DIVISION, STATE OF OHIO: REQUEST FOR OWNERSHIP TRANSFER OF D5 LIQUOR PERMIT BY JEFF POPE, dba IMPERIAL, LOCATED AT 420 COURT AVE NW. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
464. OHIO DEPT OF COMMERCE, DIVISION OF LIQUOR CONTROL: NOTIFICATION THAT ALL PERMITS TO SELL ALCOHOLIC BEVERAGES IN THE CITY WILL EXPIRE ON 2/1/04 & PROCEDURES FOR OBJECTING TO REISSUANCE OF SAME. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE (See C#461)
465. OHIO DEPT OF COMMERCE, DIVISION OF LIQUOR CONTROL: OVERRULING OBJECTION OF COUNCIL TO C1, C2, D6 LIQUOR PERMIT APPLICATION BY LA TIENDA HISPANA OVIEDOS CORP, LOCATED @ 909 12<sup>TH</sup> ST NW & CONTINUING PROCESSING OF APPLICATION. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
466. TIME WARNER CABLE: DESCRIPTION OF RATES & SERVICES FOR UPCOMING YEAR 2004. - TIME WARNER CABLE CMTE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1<sup>ST</sup> RDG 1. AMENDING O.164/2001 TO EXCLUDE CERTAIN POLICE & FIRE DEPT EMPLOYEES AND FIDUCIARY STAFF OF AUDITOR'S OFFICE FROM WAGE SCHEDULE FOR MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES; INCLUDE ANNUAL EVALUATIONS FOR CERTAIN MANAGEMENT & NON-BARGAINING UNIT EMPLOYEES BUT EXCLUDING FIDUCIARY EMPLOYEES IN THE AUDITOR'S OFFICE; & AMENDING EXHIBIT A, CLASSIFICATION PLAN; EMERGENCY  
Referred to \_\_\_\_\_

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

**SUSPEND RULE 22A TO ADD ORDINANCES #2-21:**

- 2<sup>ND</sup> RDG 2. AMENDING ZONING O.55/77 TO REZONE PART OF LOT NO. 703 LOCATED AT 522 30<sup>TH</sup> STREET NW FROM R-1 TO PI-1 AS REQUESTED BY FIRST CHURCH OF THE NAZARENE; EMERGENCY  
**PUB HRG 11/24/03 @ 7:30 PM**
- 2<sup>ND</sup> RDG 3. AMENDING ZONING O.55/77 TO REZONE LOT NO. 3465 LOCATED AT 1275 WOODLAND AVE NW FROM R-1A TO PR-3 AS REQUESTED BY TODD LENS MAN (PRIME PROPERTIES); EMERGENCY  
**PUB HRG 11/24/03 @ 7:31 PM**
- 2<sup>ND</sup> RDG 4. AMENDING ZONING O.55/77 TO REZONE LOT NO. 24694 LOCATED AT 351 CORNELIA AVE NE FROM R-1A TO PB-3 AS REQUESTED BY TRENA & SOLADENE CURTIS (JAZZY KIDZ DAY CARE); EMERGENCY  
**PUB HRG 11/24/03 @ 7:32 PM**
- 2<sup>ND</sup> RDG 5. VACATING PART OF UNNAMED ALLEY EAST OF SCHROYER SW BETWEEN 5<sup>TH</sup> & 6<sup>TH</sup> STREETS AS REQUESTED BY ATTORNEY SCOTT SANDROCK FOR ESMET, INC.; EMERGENCY  
**PUB HRG 11/24/03 @ 7:30 PM**
- 2<sup>ND</sup> RDG 6. ADOPTING AMENDMENTS TO TRAFFIC & GENERAL OFFENSES CODES OF CANTON CODIFIED ORDINANCES EFFECTIVE JANUARY 1, 2004.
- 2<sup>ND</sup> RDG 7. RESOLUTION AUTHORIZING LAW DIRECTOR TO DISTRIBUTE 2004 AMENDMENTS TO TRAFFIC & GENERAL OFFENSES CODES OF CANTON CODIFIED ORDINANCES TO PUBLIC OFFICIALS & PUBLIC INSTITUTIONS FREE OF CHARGE & AFFIX PRICE FOR SALE OF SAME.
- 2<sup>ND</sup> RDG 8. AMENDING O.236/2002 BY MAKING VARIOUS SUPPLEMENTAL APPROPRIATIONS & TRANSFERS NECESSARY TO MEET OPERATING EXPENSES FOR REMAINDER OF 2003 (TO FUND PAYROLL IN GENERAL FUND & SANITARY SEWER; & FOR PARTS, SERVICE & FUEL FOR 6041 DMV FUND); EMERGENCY
- 2<sup>ND</sup> RDG 9. APPROVING & ACCEPTING REPLATTING OF PART OF LOTS NOS. 13294 & 13295 LOCATED IN THE 1500 BLOCK OF BEDFORD AVE SW AS REQUESTED BY GEORGE MORRIS; EMERGENCY
- 2<sup>ND</sup> RDG 10. AUTHORIZING PUBLIC SERVICE DIRECTOR TO ENTER INTO \$69,400 CONTRACT WITH CIVIL DESIGN ASSOCIATES TO PROVIDE PROFESSIONAL SERVICES FOR MIDWAY AVE NE IMPROVEMENT PROJECT; AUTHORIZING AUDITOR TO ESTABLISH 4552 MIDWAY AVE NE IMPROVEMENTS FUND; AMENDING O.236/2002 BY MAKING SUPPLEMENTAL APPROPRIATION FOR SAME; EMERGENCY
- 2<sup>ND</sup> RDG 11. AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO CONVEY PROPERTY LOCATED AT 919 WALNUT AVE NE (FORMER CANTON FRIENDSHIP CENTER) TO CANTON COMMUNITY IMPROVEMENT CORPORATION; EMERGENCY
- 2<sup>ND</sup> RDG 12. AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO CONVEY PROPERTY LOCATED ON THE NORTHEAST CORNER OF WALNUT AVE NE & 2<sup>ND</sup> ST NE TO CANTON COMMUNITY IMPROVEMENT CORPORATION; EMERGENCY
- 2<sup>ND</sup> RDG 13. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$75,750 CONTRACT WITH COOPER & ASSOCIATES TO PROVIDE PROFESSIONAL SERVICES FOR 38<sup>TH</sup> STREET NW IMPROVEMENT PROJECT, GP 1067; AUTHORIZING AUDITOR TO ESTABLISH 4553 38<sup>TH</sup> STREET NW IMPROVEMENT, GP 1067 FUND; AMENDING O.236/2002 BY MAKING SUPPLEMENTAL APPROPRIATION FOR SAME; EMERGENCY
- 2<sup>ND</sup> RDG 14. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$18,600 CONTRACT WITH CT CONSULTANTS FOR ENGINEERING SERVICES ASSOCIATED WITH THE LIFT STATIONS REPLACEMENT PROJECT; AUTHORIZING SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO \$100,000 CONTRACT FOR CONSTRUCTION ASPECT OF PROJECT; AMENDING O.236/2002 BY MAKING SUPPLEMENTAL APPROPRIATION FOR SAME; EMERGENCY
- 2<sup>ND</sup> RDG 15. AUTHORIZING PUBLIC SERVICE DIRECTOR TO EXECUTE AND DELIVER AN EASEMENT TO AULTMAN HEALTH FOUNDATION/AULTMAN HOSPITAL FOR PURPOSES OF INSTALLING UNDERGROUND ELECTRICAL CONDUITS FOR THE NEW ADDITION; EMERGENCY
- 2<sup>ND</sup> RDG 16. AMENDING O.236/2002 BY MAKING \$94,378.33 SUPPLEMENTAL APPROPRIATION FROM 4547 SHORB & 4<sup>TH</sup> STREET NW ROADWAY IMPROVEMENT, GP 1050 FUND FOR PURPOSES OF SIGNALIZING INTERSECTION OF 4<sup>TH</sup> ST & FULTON RD NW; EMERGENCY
- 2<sup>ND</sup> RDG 17. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$22,350 CONTRACT WITH CT CONSULTANTS FOR ENGINEERING SERVICES IN REMOVAL OF 8<sup>TH</sup> STREET NE BRIDGE; AMENDING O.236/2002 BY MAKING SUPPLEMENTAL APPROPRIATION FOR SAME; EMERGENCY
- ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:**
- 2<sup>ND</sup> RDG 18. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH STARK COUNTY PUBLIC DEFENDER

COMMISSION FROM 1/1/04 THROUGH 12/31/05 FOR PROVISION OF LEGAL SERVICES TO INDIGENT DEFENDANTS CHARGED WITH CITY ORDINANCE VIOLATIONS IN THE CANTON MUNICIPAL COURT; EMERGENCY

- 2<sup>ND</sup> RDG 19. AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO 1-YEAR CONTRACT RETROACTIVE TO 11/1/03 WITH STARK COUNTY REGIONAL PLANNING COMMISSION TO PROVIDE \$82,000 GRANT FOR COMPREHENSIVE FAIR HOUSING PROGRAM; EMERGENCY
- 2<sup>ND</sup> RDG 20. AMENDING O.143/2002, SECTION 1, BY REDUCING THE NUMBER OF AUTHORIZED EMPLOYEES IN CLASSIFICATION OF DIVISION CHIEF FROM 2 TO 1 THROUGH ATTRITION
- 2<sup>ND</sup> RDG 21. RESOLUTION ACCEPTING & AUTHORIZING AMOUNTS & RATES AS DETERMINED BY THE BUDGET COMMISSION & CERTIFYING THEM TO COUNTY AUDITOR

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- VOTE 22. AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH ESMET, INC. FOR REAL PROPERTY TAX EXEMPTIONS FOR AN ADDITIONAL BUILDING IN WARD 4 COMMUNITY REINVESTMENT AREA; AUTHORIZING A 10 YEAR GRANT OF REAL PROPERTY TAX EXEMPTIONS; EMERGENCY
- VOTE 23. VACATING A PORTION OF MELCHOIR PLACE SW; APPROVING & ACCEPTING REPLATTING OF LOTS #376-380, 522, 523, 33403, 33558, 42175-42182, PART OF LOTS #524 & 375 AS REQUESTED BY HINTON SURVEYING ON BEHALF OF PREMIER OFFICE COMPLEX; EMERGENCY **PUB HRC 11/17/03 @ 7:30PM**
- VOTE 24. AMENDING APPROPRIATION O.236/2002 TO MAKE A \$5,645.10 SUPPLEMENTAL APPROPRIATION FROM THE 2415 ATTENUATOR REPAIR FUND; EMERGENCY
- VOTE 25. AUTHORIZING CITY AUDITOR TO PAY A \$35,640.59 MORAL OBLIGATION TO WENGER EXCAVATING, INC. FOR EMERGENCY ROADWAY RECONSTRUCTION ON WARNER ROAD NE BETWEEN 8<sup>TH</sup> & 9<sup>TH</sup> STREETS; EMERGENCY
- VOTE 26. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO A \$316,519 CONTRACT WITH URS CORPORATION FOR THE TUSCARAWAS STREET IMPROVEMENTS, STA-77-13.90, GP 1064; AUTHORIZING CITY AUDITOR TO ESTABLISH THE 4551 TUSCARAWAS STREET IMPROVEMENTS GP 1064 FUND; AMENDING APPROPRIATION O.236/2002 TO MAKE A \$316,519 TRANSFER & SUPPLEMENTAL APPROPRIATION; EMERGENCY
- VOTE 27. AUTHORIZING MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO A \$50,000 CONTRACT WITH THE YWCA OF CANTON FOR ROOF REPLACEMENT ON THE GATEWAY HOUSING PROJECT FACILITY; EMERGENCY
- VOTE 28. AUTHORIZING THE MAYOR &/OR SERVICE DIRECTOR TO CONVEY NO LONGER NEEDED CITY-OWNED PROPERTY (BOUNDED BY 2<sup>ND</sup> NE, 2<sup>ND</sup> ST CUT-THRU, RIVERSIDE DRIVE & WOODROW CT NE) TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION FOR THE SUM OF \$1.00; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY):

MISCELLANEOUS BUSINESS

ADJOURNMENT TIME

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD MONDAY, NOV. 24, 2003 @ 7:30 PM