

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

March 22, 2004

ROLL CALL: 10 Councilmembers present, 2 absent (Diamond & Hart*) *Present at 7:32 PM

INVOCATION: Given by Ward 6 Councilmember David Dougherty

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

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#7-18; Suspended Rule 22B to add 1st Rdg O#4,5&6; O#15&16 Retained in Committee)

PUBLIC HEARINGS:

7:30 PM A REQUEST TO VACATE PORTION OF MADISON COURT SE; APPROVING & ACCEPTING REPLATTING OF PARTS OF LOTS 1705 THROUGH 1710 & 14' VACATED ALLEY; APPROVING & ACCEPTING DEDICATION PLAT OF MADISON COURT EXTENSION SE AS REQUESTED BY SERVICE DIRECTOR ELLSWORTH
(PLANNING COMMISSION RECOMMENDS APPROVAL) (No Public Speakers) (See O#37/2004)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): No Speakers

INFORMAL RESOLUTIONS:

VICE PRESIDENT DON CASAR: EXCUSING MEMBERS (Not necessary, all Members present)

COMMUNICATIONS:

168. AUDITOR PEREZ, HAWK & CASAR, MBRS: LETTER OF REQUEST FOR LEGISLATION TO ENACT HOUSE BILL 127 ALLOWING THE CITY TO ACQUIRE TAX DELINQUENT PROPERTY. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
169. BERNABEI, FINANCE CMTE MBR: LETTER OF REQUEST TO ESTABLISH A \$1.1 MILLION INTERNAL SERVICE FUND TO FUND CURRENT UN-FUNDED RETIREMENT BENEFITS; REQUEST TO CREATE \$250,000.00 ECONOMIC DEVELOPMENT FUND UNDER CONTROL OF MAYOR. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
(SUSPENDED RULE 22B TO ADD O#4&5)
170. BUILDING DEPARTMENT: MONTHLY INCOME REPORT FOR THE MONTH OF FEBRUARY 2004. - RECEIVED & FILED
171. CASAR, CHRMN, SIDEWK/STR LITE: LETTER OF REQUEST FOR STREET LIGHTING ON HOWINGTON CIRCLE SE. - SIDEWALK & STREET LIGHT COMMITTEE
172. CHIEF OF STAFF CONCATTO: NOTIFICATION OF A TENTATIVE 3-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN CITY OF CANTON AND AFSCME LOCAL 2937; REQUEST TO MEET WITH COUNCIL IN EXECUTIVE SESSION ON 3/22/04. - PERSONNEL COMMITTEE
(SUSPENDED RULE #22B to add O#6)
173. CIVIL ENGINEER M. COUTTS: ANNUAL 2003 REPORT OF CITY CIVIL ENGINEER. - RECEIVED & FILED
174. LIQUOR CONTROL DIVISION (OHIO): REQUEST FOR TRANSFER OF C1, C2 LIQUOR PERMIT REQUESTED BY KENNETH WILCOX JR. dba MAGGIORES DRIVE THRU 15 TO BELLA 7 LLC dba MAGGIORES DRIVE THRU 15 LOCATED @1037 DUEBER AVE., SW, 1ST FLOOR. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
175. MAYOR JANET WEIR-CREIGHTON: REQUEST AUTHORITY TO ENTER INTO SERVICE AGREEMENT AMENDMENT WITH KEYBANK NAT'L ASSOCIATION TO PLACE ATM TERMINAL AT MILLENIUM PARKING DECK. - FINANCE COMMITTEE
176. OHIO EPA: LETTER TO MAYOR & COUNCIL RE: DETAIL PLANS FOR A COMMUNITY WATER SYSTEM FOR THE DANBURY GLEN ESTATES NO 1 IN THE VILLAGE OF HARTVILLE, PURSUANT TO ORC 6109.07 ET.SEQ. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
177. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY DENNIS & CAROL REED FOR ZONE CHANGE FROM R-1A TO PB-1 LOCATED AT 3801 GREENWOOD PL SW, FOR FAMILY SUPPORT SERVICES FACILITY ADJACENT TO REED FUNERAL HOME. - LAW DEPARTMENT

PUB HRG 4/26/04 @ 7:30PM

COMMUNICATIONS - CONTINUED:

178. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY COOPER & ASSOCIATES FOR HABITAT FOR HUMANITY TO VACATE PORTIONS OF AN UNNAMED 10' ALLEY, SOUTH OF 16TH ST NE & TO REPLAT LOTS 8907 & 13968 AND THE VACATED ALLEY INTO ONE RECONFIGURED LOT. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

179. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY COOPER & ASSOCIATES FOR HABITAT FOR HUMANITY TO REPLAT 2 LOTS INTO 3 RECONFIGURED LOTS LOCATED NORTH OF 6TH STREET NE AT ROWLAND AVE NE. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
180. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST BY VFW POST 3417 FOR A ZONE CHANGE FROM R-1a TO PB-3, LOCATED @1836 8TH STREET NE TO PERMIT A NEW VFW POST . - LAW DEPARTMENT
PUB HRG 4/26/04 @ 7:31PM
181. SERVICE DIRECTOR ELLSWORTH: REQUEST RESOLUTION TO DECLARE NECESSITY & INTENT OF CITY TO APPROPRIATE PROPERTY WITHIN CORPORATE BOUNDARIES DUE TO FAILED NEGOTIATIONS & UNRESPONSIVE PROPERTY OWNER IN THE 4TH STREET RE-CONSTRUCTION PROJECT. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
182. SERVICE DIRECTOR ELLSWORTH: SUBMITTING OEPA PERMIT REQUIREMENTS AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PHASE II STORM WATER MANAGEMENT PROGRAM REPORT. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZING CANTON TO ANNEX 176.419 ACRES KNOWN AS THE FORD/REPUBLIC GEORGETOWN ROAD ANNEXATION AREA; ASSIGNING SAID TERRITORY TO WARD 4; ZONING SAID TERRITORY AS I-1; EMERGENCY
PUB HRG 4/5/04 @ 7:30PM
Referred to Annexation Committee
- 1ST RDG 2. AMENDING ZONING ORDINANCE 55/77 TO REZONE LOT NOS 82084, LOCATED AT 112 CHERRY AVENUE SE AS REQUESTED BY SARTA; EMERGENCY
PUB HRG 4/5/04 @ 7:31PM
Referred to 2ND RDG OF NEXT AGENDA
- 1ST RDG 3. APPROVING AND ACCEPTING THE REPLATTING OF PARTS OF LOTS 2457, 2458, 2459 & 2460 INTO 2 RECONFIGURED LOTS LOCATED SOUTH OF 4TH STREET SW AT UNION AVENUE AS REQUESTED BY EDWARD METZGER, SURVEYOR FOR HABITAT FOR HUMANITY; EMERGENCY
Referred to Public Safety and Thoroughfares Committee

SUSPENDED RULE 22B TO ADD O#4,5&6:

- 1ST RDG 4. ESTABLISHING THE 6023 COMPENSATED ABSENCE CLAIM FUND; AUTHORIZE CITY AUDITOR TO ADMINISTER SAID FUND; AMENDING APPROPRIATION O#1/2004 FOR VARIOUS SUPPLEMENTAL APPROPRIATIONS, \$902,595.44 FROM GENERAL FUND, ETC.; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. ESTABLISHING THE 1150 GENERAL ECONOMIC DEVELOPMENT FUND; AUTHORIZE MAYOR TO ADMINISTER SAID FUND; AMENDING APPROPRIATION O#1/2004 FOR SUPPLEMENTAL APPROPRIATIONS IN THE AMOUNT OF \$250,000.00; EMERGENCY
Referred to Community & Economic Development and Finance Committees
- 1ST RDG 6. APPROVING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN AFSCME LOCAL 2937 AND THE CITY OF CANTON; EMERGENCY
Referred to Personnel Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#7-18:**

- 2ND RDG 7. AUTHORIZING THE MAYOR AND/OR CHIEF OF STAFF TO ENTER INTO PROFESSIONAL SERVICE CONTRACT WITH SMG FOR MANAGEMENT OF THE CIVIC CENTER; EMERGENCY (PPCI & Finance)
- 2ND RDG 8. AUTHORIZING CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY LOCATED ON SANDAL PLACE NE FROM LEVASSER W. CONNOR, JR.; EMERGENCY (PPCI)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING - CONTINUED:

- 2ND RDG 9. AUTHORIZING CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY LOCATED ON 8TH ST NE FROM L.A. COOPER REALTY CORP.; EMERGENCY (PPCI)
- 2ND RDG 10. AUTHORIZING CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY LOCATED ON 5TH ST NE FROM MARGARET L. HARTZELL; EMERGENCY (PPCI)
- 2ND RDG 11. AUTHORIZING CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY LOCATED ON 7TH ST NE & MAHONING RD NE FROM BERNICE FIDELHOLTZ; EMERGENCY (PPCI)
- 2ND RDG 12. AUTHORIZING CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY LOCATED ON 2ND ST NW FROM MOHAMMAD HNEIDAN; EMERGENCY (PPCI)

- 2ND RDG 13. AUTHORIZING CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY LOCATED ON GROSS AVE NE FROM DARYL & CHERYL SMYTH; EMERGENCY (PPCI)
- 2ND RDG 14. APPROVING AND ACCEPTING THE REPLATTING OF LOTS 9017-9020, 9039 & 29276 LOCATED ON THE SOUTHEAST CORNER OF PURNEY & WATSON SE AS REQUESTED BY COOPER & ASSOC. ON BEHALF OF HABITAT FOR HUMANITY; EMERGENCY (PUB SAF & THRU)

RETAINED IN**COMMITTEE**

15. AUTHORIZING THE PUBLIC SAFETY DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR PURCHASE OF A LIVE-FIRE SHOOTING SIMULATION SYSTEM FOR THE POLICE DEPT; EMERGENCY (PPCI & Finance)

RETAINED IN**COMMITTEE**

16. AUTHORIZING PUBLIC SAFETY DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR PURCHASE OF TURNOUT GEAR, FIRE HOSE LINE & SELF CONTAINED BREATHING APPARATUS FOR THE FIRE DEPT; EMERGENCY (PPCI & Finance)

- 2ND RDG 17. ESTABLISHING FAIR MARKET VALUE OF REAL PROPERTY FOR THE 44TH ST NE IMPROVEMENT PROJECT; AUTHORIZING PUBLIC SERVICE DIRECTOR TO NEGOTIATE & PURCHASE SAID PARCELS & ENTER INTO WORK AGREEMENTS IN CONJUNCTION THEREWITH; EMERGENCY (C&E DEV & Finance)

- 2ND RDG 18. AMENDING APPROPRIATION O.1/2004 TO APPROPRIATE ADDITIONAL MONEYS NEEDED FOR OPERATING & CAPITAL EXPENSES FOR THE REMAINDER OF FISCAL YEAR 2004; EMERGENCY (Finance)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- 36/2004 19. AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH SHAWN O'BRIEN PROPERTIES, LLC TO PROVIDE REAL PROPERTY TAX EXEMPTIONS TO CONSTRUCT AN INDOOR SKATE PARK IN THE WARD 4 COMMUNITY REINVESTMENT AREA; AUTHORIZING A TEN YEAR REAL PROPERTY TAX EXEMPTION UPON ALL RENOVATIONS & IMPROVEMENTS ASSOCIATED THEREWITH; EMERGENCY

- 37/2004 20. VACATING PORTION OF MADISON COURT SE; APPROVING & ACCEPTING REPLATTING OF PARTS OF LOTS 1705 THROUGH 1710 & 14' VACATED ALLEY; APPROVING & ACCEPTING DEDICATION PLAT OF MADISON COURT EXTENSION SE AS REQUESTED BY SERVICE DIRECTOR ELLSWORTH; EMERGENCY

PUB HRG 3/22/04 @ 7:30 PM

ANNOUNCEMENT OF COMMITTEE MEETINGS:

Monday, March 29, 2004, 6:15 PM, Council Caucus Room

1. Community & Economic Development Committee

Monday, March 29, 2004, 6:30 PM, Council Caucus Room

2. Personnel Committee
3. Intergovernmental & Public Service Committee
4. Public Safety & Thoroughfares Committee
5. Finance Committee

Monday, March 29, 2004, 6:45 PM, Council Caucus Room

6. Annexation Committee

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): (Four Public Speakers)

MISCELLANEOUS BUSINESS: (None)

ADJOURNMENT TIME: 7:53 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD MONDAY, APRIL 5, 2004 @ 7:30 PM