

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

SEPTEMBER 12, 2005

ROLL CALL: All 12 Councilmembers Present.

INVOCATION: Given by Ward 8 Councilmember Rosemary Diamond.

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

AGENDA CORRECTIONS & CHANGES: (Rule 22A was suspended to add to add 2<sup>nd</sup> Rdg O#9-17 except #15, which was retained in cmte; Rule 24B was suspended to add Resolution #85)

PUBLIC HEARINGS:

- 7:30 PM PROPOSED ZONING MAP AMENDMENTS ON 15<sup>TH</sup> NW, WEST TUSC, 839 CLEVELAND NW, BELDEN SE, SW CORNER 30<sup>TH</sup> & CLEVELAND, ATLANTIC BLVD, & SE CORNER 8<sup>TH</sup> & CORNELIA NE. (PLANNING COMMISSION RECOMMENDED APPROVAL) (No Public Speakers) (See O.185/2005)
- 7:31 PM A REQUEST BY CHRIST PRESBYTERIAN CHURCH TO VACATE A PORTION OF WELLS AVE SW FROM WEST TUSCARAWAS ST TO 2<sup>ND</sup> ST SW. (One Public Speaker) (PLANNING COMMISSION RECOMMENDED APPROVAL) (See O.184/2005)
- 7:32 PM ANNEXATION OF APPROX 7.784 ACRES KNOWN AS THE CENTRAL ALLIED/HARMONT ANNEXATION AREA; ASSIGNING SAID TERRITORY TO WARD 6 & ZONING SAID TERRITORY AS R-3 (GARDEN & TOWNHOUSE APARTMENT). (PLANNING COMMISSION RECOMMENDED APPROVAL) (Three Public Speakers) (See O#14, 2<sup>nd</sup> Rdg)

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

INFORMAL RESOLUTIONS:

- VICE PRESIDENT DONALD E. CASAR: EXCUSING MEMBERS. (Not necessary—all Councilmembers present)
84. HART, WARD 7 COUNCILMEMBER: COMMENDING WILLIAM R. "TIM" TIMKEN, JR. ON HIS CONFIRMATION AS THE US AMBASSADOR TO GERMANY. - ADOPTED
- RULE 24B SUSPENDED TO ADD RE#85:**
85. WEST, WARD 2, & CNCL-AS-A-WHOLE: SUPPORTING & COMMENDING EFFORTS OF LOCAL INDIVIDUALS, CIVIC, BUSINESS, CULTURAL & RELIGIOUS ORGANIZATIONS IN RELIEF FUNDRAISING FOR HURRICANE KATRINA VICTIMS. - ADOPTED

COMMUNICATIONS:

437. AUDITOR MALLONN: MONTHLY REPORT BY FUND FOR 8/1/05-8/31/05. - RECEIVED & FILED
438. AUDITOR MALLONN: YEARLY REPORT BY FUND FOR 1/1/05-8/31/05. - RECEIVED & FILED
439. LAW DIRECTOR MARTUCCIO: REQUEST AUTHORIZATION TO PREPARE AMENDMENTS TO CITY CODE CHAPTER 503, JUVENILE OFFENSES; PARENTAL RESPONSIBILITY, RE: TRUANCY VIOLATIONS. - JUDICIARY COMMITTEE
440. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF REQUEST FOR TRANSFER OF C2 LIQUOR PERMIT FROM BASKETFANFARE LLC, dba BASKETFANFARE, TO SJLB ENTERPRISES LLC, dba BASKET FANFARE LLC, 2241 W TUSCARAWAS. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
441. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF REQUEST BY SJLB ENTERPRISES LTD LLC, dba BASKET FANFARE, 2241 W TUSCARAWAS ST, FOR NEW C1 LIQUOR PERMIT. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE
442. OHIO DEPT OF TRANSPORTATION: COPY OF EXECUTED CO-OPERATIVE CONTRACT BETWEEN THE CITY & THE DIRECTOR OF TRANSPORTATION RE: FULTON DR NW SIGNALS-PHASE 2, FEDERAL PROJECT #E050(019). - SERVICE DIRECTOR
443. SERVICE DIRECTOR CONCATTO: REQUEST AUTHORIZATION OF \$7,158.43 PAYMENT TO HILSCHER CLARKE ELECTRIC CO. FOR EMERGENCY REPAIRS TO THE SWITCHGEAR FOR THE HIGH SERVICE PUMPS @ NORTHEAST WATER TREATMENT PLANT PER C#414 ON 8/10/05 AGENDA. - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

444. SERVICE DIRECTOR CONCATTO: REQUEST LEGISLATION TO CHARGE A 3% CONVENIENCE FEE WITH A \$1.50 MINIMUM FOR ON-LINE PAYMENTS MADE TO ANY CITY DEPARTMENT INTERESTED IN OFFERING THIS METHOD OF PAYMENT;

REQUESTING AUTHORITY TO REVIEW THIS FEE EACH FEBRUARY & ALTER AS NEEDED; REQUEST AUDITOR TO FUND THIS ACCOUNT FOR REVENUE & EXPENSES IN TREASURER'S DEPT; & REQUEST \$1618 SUPPLEMENTAL APPROPRIATION FROM GENERAL FUND. - FINANCE COMMITTEE

445. SERVICE DIRECTOR CONCATTO: REQUEST LEGISLATION AUTHORIZING MAYOR TO WITHDRAW FROM NEFCO EFFECTIVE 9/30/06 IN ORDER TO SPEND THE \$12,000 ANNUAL DUES ON OTHER PRIORITIES. - INTERGOV & PUB SERVICE CMTE
446. TREASURER SCHIRACK: COMPARATIVE REPORT OF INCOME TAX CASH RECEIPTS AS OF 8/31/05. - RECEIVED & FILED
447. TREASURER SCHIRACK: COMPARATIVE REPORT OF DEPOSITS TO THE AMBULANCE LOCK BOX ACCOUNT FOR MONTH OF AUGUST 2005. - RECEIVED & FILED
448. TREASURER SCHIRACK: TREASURER'S OFFICE BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 8/31/05. - RECEIVED & FILED
449. TREASURERS SCHIRACK: COMPARATIVE REPORT OF PARKING METER REVENUE FOR THE MONTH OF AUGUST 2005. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1<sup>ST</sup> RDG 1. AMENDING APPROPRIATION O.253/2004 BY MAKING VARIOUS SUPPLEMENTAL APPROPRIATIONS AS REQUESTED BY THE HEALTH DEPT; EMERGENCY (\$17,715.58 fr 2312 STD Control Fund, etc.)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZING THE EDITING & INCLUSION OF CERTAIN ORDINANCES ENACTED BY COUNCIL FROM 7/1/04 TO 6/30/05 AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CANTON CODIFIED ORDINANCES; EMERGENCY  
Referred to Judiciary Committee
- 1<sup>ST</sup> RDG 3. RESOLUTION AUTHORIZING LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS & PUBLIC INSTITUTIONS COPIES OF THE 2004 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES & TO SELL COPIES TO THOSE COPYHOLDERS WHO PURCHASED THE CITY CODE FOR \$12.20; EMERGENCY  
Referred to Judiciary Committee
- 1<sup>ST</sup> RDG 4. VACATING PORTIONS OF GROVE PL SW & FOREST AVE SW; & APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOT NOS. 11663, 15743, 15744, 15745, 15746, 16060 & THE VACATED PORTIONS OF GROVE PL SW & FOREST AVE SW AS REQUESTED BY AULTMAN HEALTH FOUNDATION **PUB HRG 9/26/05 @ 7:31 PM**  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 5. AMENDING ZONING O.55/77 BY REZONING LOT NOS. 37249 - 37252 AND PARTS OF OUT LOT NOS. 806 AND 807 LOCATED ON HARMONT AVE NE FROM R-1a TO PB-3 (PLANNED GENERAL BUSINESS) AS REQUESTED BY DEHOFF DEVELOPMENT CO. FOR RETAIL/COMMERCIAL DEVELOPMENT; EMERGENCY  
Referred to Judiciary Committee **PUB HRG 9/26/05 @ 7:30 PM**
- 1<sup>ST</sup> RDG 6. APPROVING & ACCEPTING REPLATTING OF LOT NOS. 14114 AND 14115 ON NORTH SIDE OF 19<sup>TH</sup> ST NE AS REQUESTED BY HINTON SURVEYING FOR BETTY HILL; EMERGENCY  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 7. RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE DONALD L. MOORE ANNEXATION AREA UPON ITS BEING ANNEXED TO THE CITY OF CANTON; EMERGENCY  
Referred to Annexation Committee
- 181/2005\*** 8. AUTHORIZING THE MAYOR TO ENTER INTO \$90,690 CONTRACT WITH ODOT FOR THE REPLACING AND/OR UPGRADING OF TRAFFIC SIGNAL EQUIPMENT @ 21 INTERSECTIONS ALONG MARKET AVE; EMERGENCY  
Referred to Public Safety & Thoroughfares & Finance Committees

**\*Council recessed from 7:59 to 8:05 PM for a committee meeting on O#8 which was returned to the agenda for adoption.**

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

**RULE 22A SUSPENDED TO ADD O#9-17, EXCEPT #15:**

- 2<sup>ND</sup> RDG 9. AMENDING O.253/2004 BY MAKING SUPPLEMENTAL APPROPRIATIONS (\$1,155,000, ETC), REDUCTIONS (\$101,416.84, ETC), & TRANSFERS (\$1,362, ETC) FROM VARIOUS FUNDS AS A RESULT OF CHANGES IN CERTIFICATES; EMERGENCY.
- 2<sup>ND</sup> RDG 10. ESTABLISHING THE FAIR REUSE OF 1 PARCEL OF CITY OWNED PROPERTY LOCATED ON WARNER ROAD NE, & AUTHORIZING THE SALE & CONVEYANCE OF SAME TO VERNON CLINE PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY.
- 2<sup>ND</sup> RDG 11. ESTABLISHING THE FAIR MARKET VALUE OF 1 PARCEL OF CITY OWNED PROPERTY LOCATED ON HERT

PLACE NW, & AUTHORIZING THE SALE & CONVEYANCE OF SAME TO HELEN DEPUY PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY.

2<sup>ND</sup> RDG 12. ESTABLISHING THE FAIR MARKET VALUE OF 1 PARCEL OF CITY OWNED PROPERTY LOCATED ON QUEEN COURT NW, & AUTHORIZING THE SALE & CONVEYANCE OF SAME TO ROBERTA J. ROGERS PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY.

2<sup>ND</sup> RDG 13. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO CONTRACT W/CANTON NEGRO OLDTIMERS ATHLETIC ASSN TO PROVIDE A \$21,000 CDBG TO PURCHASE ADDITIONAL PROPERTY FOR PARKING & DEVELOPMENT OF HOUSING FOR SENIORS & HANDICAPPED PERSONS; EMERGENCY.

2<sup>ND</sup> RDG 14. AUTHORIZING CANTON TO ANNEX 7.784 ACRES KNOWN AS THE CENTRAL ALLIED/HARMONT ANNEXATION AREA; ASSIGNING SAID TERRITORY TO WARD 6; ZONING SAID TERRITORY AS R-3; EMERGENCY. **PUB HRG 9/12/05 @ 7:32 PM**

**RETAINED**

**IN CMTE** 15. AUTHORIZING DIRECTOR OF PUBLIC SAFETY TO ENTER INTO LEASE AGREEMENT W/CONCERNED CITIZENS OF 4<sup>TH</sup> WARD TO LEASE PORTION OF CITY OWNED PROPERTY @ 2000 3<sup>RD</sup> NE; EMERGENCY.

2<sup>ND</sup> RDG 16. AUTHORIZING SAFETY DIRECTOR TO ACCEPT \$1,000 GRANT FROM OHIO DEPT OF PUBLIC SAFETY FOR EMERGENCY MEDICAL TRAINING & EQUIPMENT FOR THE FIRE DEPT; AMENDING O.253/2004 BY MAKING A \$1,000 SUPPLEMENTAL APPROPRIATION FROM THE 2812 EMS TRAINING & EQUIPMENT FUND; EMERGENCY.

2<sup>ND</sup> RDG 17. AUTHORIZING CLERK OF COUNCIL TO CERTIFY UNPAID & DELINQUENT CHARGES FOR WATER &/OR SEWER SERVICES TO THE COUNTY AUDITOR; EMERGENCY.

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:**

**182/2005** 18. ADOPTING THE CITY OF CANTON'S PROPOSED TAX BUDGET FOR FISCAL YEAR ENDING 12/31/2006; EMERGENCY. **PUB HRG HELD 8/22/05 @ 7:31 PM**

**183/2005** 19. AN ORDINANCE APPROVING & ACCEPTING THE DEDICATION OF RIGHT OF WAY AT 4<sup>TH</sup> & FULTON NW AS REQUESTED BY THE CITY ENGINEER FOR TIMKEN CAMPUS WORK; EMERGENCY.

**184/2005** 20. VACATING PART OF WELLS AVENUE SW BETWEEN WEST TUSC & 2<sup>ND</sup> STREET SW AS REQUESTED BY CHRIST PRESBYTERIAN CHURCH; EMERGENCY. **PUB HRG 9/12/05 @ 7:31 PM**

**185/2005** 21. AMENDING ZONING O.55/77 BY MAKING SEVERAL CHANGES TO THE OFFICIAL ZONING MAP AS PROPOSED BY THE CITY OF CANTON (15<sup>TH</sup> NW [KEMPTHORN], W. TUSC [DOWNTOWN FORD], 839 CLEVELAND NW [GANLEY L/M], 415 BELDEN SE [FIRE STA], SW CORNER 30<sup>TH</sup> & CLEVELAND, 2460 ATLANTIC BLVD NE [ATLANTIC POOLS], & SE CORNER 8<sup>TH</sup> & CORNELIA). **PUB HRG 9/12/05 @ 7:30 PM**

**186/2005** 22. AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO CONTRACT W/BELOIT FIRE DEPARTMENT FOR THE SALE OF 24 SECTIONS OF 3" HOSE NO LONGER NEEDED FOR MUNICIPAL PURPOSES IN AMOUNT OF \$60.00; EMERGENCY.

**187/2005** 23. APPROVING A WATER MAIN EXTENSION TO SOUTHWAY STREET SW IN PERRY TWP; AUTHORIZING THE SERVICE DIRECTOR TO CONTRACT FOR THE EXTENSION; EMERGENCY.

**ORDINANCES & FORMAL RESOLUTIONS - POSTPONED MATTERS:**

**188/2005** 24. (POSTPONED FROM 8/22/05) A RESOLUTION OF NECESSITY TO PROCEED W/IMPLEMENTATION OF THE PUBLIC SERVICE PLAN ADOPTED BY THE DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; DECLARING THE NECESSITY TO PROCEED W/SPECIAL ASSESSMENTS FOR FUNDING SAID PLAN FOR A 4-YR PERIOD; EMERGENCY.

**ORDINANCES & FORMAL RESOLUTIONS - POSTPONED MATTERS:****POSTPONED**

**INDEFINITELY** 25. (POSTPONED FROM 8/22/05) AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO \$23,900 CONTRACT W/ARCADIS FPS INC TO PERFORM A SEWER RATE STUDY; AMENDING O.253/2004 FOR A \$23,900 SUPPLEMENTAL APPROPRIATION FROM THE 5410 SANITARY SEWER FUND; EMERGENCY.

**ANNOUNCEMENT OF COMMITTEE MEETINGS:**

(Thursday, September 15, 2005, at 9:30 a.m., Caucus Room)

1) Finance Committee

(Monday, September 19, 2005, at 6:30 p.m., Caucus Room)

- 1) Public Safety & Thoroughfares Committee
- 2) Finance Committee
- 3) Annexation Committee
- 4) Judiciary Committee
- 5) Recycling Committee

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

MISCELLANEOUS BUSINESS: (Councilman Dougherty re: thanks for efforts at Needy Picnic; President Denczak & others re: Gang Task Force; Mayor Creighton praised city employees for Katrina relief & 9/11 Memorial Service March; Councilman West re: emergency preparedness; Councilman Casar re: clean up around Community Clinic; Law Director Martuccio re: Claims Cmte mtg after Council mtg & gas aggregation; Councilman Carbenia re: road taxes from gasoline; Councilman Hart re: prostitution in Ward 7; & President Denczak re: ambulance charge at needy picnic)

ADJOURNMENT TIME: 8:44 p.m.

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, SEPTEMBER 19, 2005 @ 7:30 PM**