CANTON CITY COUNCIL 7:30 P.M. DECEMBER 15, 2003

ROLL CALL: All 12 Councilmembers present

INVOCATION: Given by Councilmember-At-Large Bill Smuckler

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

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add Communication #518, 1st Rdg O #A & B, & 2nd Rdg O#1-9; Suspended Rule 24B to add Resolution #96; Adopted 1st Rdg O#A-B & 2nd Rdg O#1-9; Amended O#2, 6, & 8)

# **PUBLIC HEARINGS:**

7:30 PM A REQUEST TO REZONE LOTS 25949-25951 LOCATED AT 3865 MAHONING RD NE FROM R-1A (SINGLE-FAMILY RESIDENTIAL) TO PR-4 (PLANNED MULTI-FAMILY RESIDENTIAL) TO AND TO AN EXISTING

FAMILY RESIDENTIAL) TO PR-4 (PLANNED MULTI-FAMILY RESIDENTIAL) TO ADD TO AN EXISTING APARTMENT BUILDING A 6<sup>TH</sup> EFFICIENCY APARTMENT AS REQUESTED BY MARTIN & DARLENE MORRIS. (PLANNING COMMISSION RECOMMENDS APPROVAL) (No Speakers) (See 0.277/2003)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): (One Public Speaker)

**INFORMAL RESOLUTIONS**:

VICE PRESIDENT SMUCKLER: EXCUSING MEMBERS (Not necessary, all Councilmembers present)

91. COUNCIL OF THE WHOLE & COMMENDING KATHLEEN ALTIERI-BUCHER FOR HER SERVICE TO THE

PRESIDENT DENCZAK: CITIZENS OF WARD 2. - ADOPTED

92. COUNCIL OF THE WHOLE & COMMENDING CRAIG MASSEY FOR HIS SERVICE TO THE CITIZENS OF

PRESIDENT DENCZAK: WARD 4. - ADOPTED

93. COUNCIL OF THE WHOLE & COMMENDING JOHN MROCZKOWSKI FOR HIS SERVICE TO THE CITIZENS

PRESIDENT DENCZAK: OF WARD 5. - ADOPTED

94. COUNCIL OF THE WHOLE & COMMENDING WILLIAM SMUCKLER FOR HIS SERVICE TO THE CITIZENS

PRESIDENT DENCZAK: OF CANTON AS COUNCILMEMBER-AT-LARGE. - ADOPTED

95. COUNCIL OF THE WHOLE & COMMENDING MAYOR RICHARD WATKINS FOR HIS SERVICE TO ALL THE

PRESIDENT DENCZAK: CITIZENS OF CANTON. - ADOPTED

**SUSPENDED RULE 24B TO ADD RESOLUTION 96:** 

96. INTERGOVERNMENTAL & PUBLIC OBJECTING TO THE ISSUANCE OF A C2, C2X, D6 LIQUOR PERMIT

SERVICE COMMITTEE: TRANSFER REQUESTED BY M & K SUPER SERVICE, dba GASCO EXPRESS

MART, AT 3325 HARMONT AVE NE. - ADOPTED

**COMMUNICATIONS**:

507. CLERK VANCKUNAS: ADVISING ALL COUNCILMEMBERS & ORIGINATORS OF 2002-2003 TERM

LEGISLATION THAT PURSUANT TO RULE 29 OF THE COUNCIL RULES OF PROCEEDINGS ANY ORDINANCE REMAINING UNREPORTED OUT OF COMMITTEE AT THE CONCLUSION OF A TERM SHALL BE RESUBMITTED TO

THE NEXT TERM OF COUNCIL. - RECEIVED & FILED

508. HEALTH BENEFITS ADM. BRESSON: NOVEMBER MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS &

JANUARY-NOVEMBER 2003 PAID CLAIMS & COMPARATIVE REPORT. -

RECEIVED & FILED

509. LIQUOR CONTROL COMMISSION, NOTICE OF HEARING SET FOR 1/6/04 @ 11:30 AM ON JIMMY E. BALL,

STATE OF OHIO: dba BALLROOM, LIQUOR LICENSE APPEAL TO BE HELD AT THE VERN RIFFE

CENTER IN COLUMBUS. - INTERGOVERNMENTAL & PUB SERV CMTE

510. LIQUOR CONTROL DIVISION, REQUEST FOR TRANSFER OF C2, C2X, D6 LIQUOR PERMIT BY M&K

STATE OF OHIO: SUPER SERVICE dba GASCO EXPRESS MART LOCATED @ 3325 HARMONT

AVE NE. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE (See Re#96)

511. LIQUOR CONTROL BOARD, REQUEST FOR NEW C1, C2 LIQUOR PERMIT BY MAGGIORE DRIVE THRU

STATE OF OHIO: dba MAGGIORES DRIVE THRU #15, LOCATED @ 1037 DUEBER AVE SW. -

INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

512. LIQUOR CONTROL BOARD, REQUEST FOR NEW C1, C2 LIQUOR PERMIT BY DABA, INC. LOCATED AT

STATE OF OHIO: 1939 MAHONING RD NE. - INTERGOVERNMENTAL & PUB SERVICE CMTE

<u>COMMUNICATIONS CONTINUED</u>:

13. OHIO DEPARTMENT OF COMMERCE, NOTICE OF TENTATIVE HEARING DATE SET FOR 1/12/04 ON OBJECTION

TO C1, C2 LIQUOR PERMIT REQUESTED BY R&S CONVENIENT MART, dba

B&B SUPERMARKET LOCATED @ 636 CHERRY AVE NE. -

INTERGOVERNMENTAL & PUBLIC SERVICE CMTE

514. PLANNING COMMISSION: RECOMMENDING DENIAL OF ZONE CHANGE REQUEST BY TERESA

TOMASSETTI FROM R-1A TO PB-2 TO PERMIT A FIRST FLOOR CONSIGNMENT

STORE & SECOND STORY APT. - LAW DIRECTOR PUB HRG TO BE HELD 2/2/2004 @ 7:30PM

515. REPUBLIC ENGINEERED PRODUCTS: ANNOUNCEMENT OF TENTATIVE AGREEMENT FOR SALE OF ASSETS TO

PERRY STRATEGIC CAPITAL. - RECEIVED & FILED

516. SERVICE DIRECTOR MILLER: ADVISING MAYOR ELECT JANET WEIR CREIGHTON OF THE STATUS OF THE

JACKSON POOL REPAIR PROJECT AND SETTING FORTH THE NECESSARY STEPS NEEDED TO COMPLETE THE PROJECT BY JUNE, 2004. - RECEIVED

& FILED

517. TREASURER ZEIGLER, ATTACHING A COPY OF H.B. 127 & ACCOMPANYING SUMMARY WITH

STARK COUNTY: EMPHASIS ON PORTION ALLOWING FOR ACQUISITION OF TAX DELINQUENT

PROPERTY WITHOUT ASSUMING ENTIRE TAX BILL. - MEMBER HAWK

#### SUSPENDED RULE 22A TO ADD COMMUNICATION #518:

518. SAFETY DIRECTOR CONCATTO: REPORT AND AWARD OF CONCILIATOR DATED 12/10/03 IN THE MATTER

OF CANTON POLICE PATROLMEN'S ASSOCIATION AND CITY OF CANTON. -

RECEIVED & FILED

# ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

#### SUSPENDED RULE 22A TO ADD O#A & B:

266/2003\* A. APPROVING TERMS AND CONTRACT AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND LOCAL 3449 AND OHIO COUNCIL 8, AFSCME; EMERGENCY

Referred to <u>Personnel Committee</u>

<u>267/2003\*</u> B. DECLARING DECEMBER 26, 2003 A ONE-TIME NON-PRECEDENTIAL PAID DAY OFF FOR SPECIFIED

MANAGEMENT, NON-BARGAINING UNIT EMPLOYEES; EMERGENCY.

Referred to Personnel Committee

\*7:44-8:15 PM recess for executive session on O#A & B; 8:29-8:37 PM recess for committee meeting on O#A & B, which were returned to the agenda for adoption.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

## SUSPENDED RULE 22A TO ADD ORDINANCES #1-9:

268/2003 1. AMENDING THE CODIFIED ORDINANCES, PART 9, CHAPTER 943, RE: SEWER REGULATIONS; EMERGENCY

**AMENDED** 

269/2003 2. AMENDING 0.236/2002 BY MAKING THE NECESSARY SUPPLEMENTAL APPROPRIATIONS, TRANSFERS, REDUCTIONS IN APPROPRIATIONS AND INTERFUND TRANSFERS TO CONCLUDE THE YEAR; EMERGENCY

270/2003 3. AUTHORIZING CITY AUDITOR TO PAY A \$750.00 MORAL OBLIGATION TO WASTE REMOVAL EQUIPMENT INC. FOR THE TRADE-IN VALUE FOR A USED REFUSE PACKER INADVERTENTLY SOLD AT AUCTION; EMERGENCY

271/2003 4. RENAMING A PORTION OF SHORB AVENUE NW FROM WEST TUSCARAWAS TO 3<sup>D</sup> NW, "FULTON ROAD NW"; EMERGENCY

272/2003 5. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH THE WORKSHOPS INC. FOR SNACK BAR SERVICES AT CITY HALL BUILDING: EMERGENCY

<u>AMENDED</u>

273/2003 6. RESOLUTION OBJECTING TO 3 LIQUOR PERMIT RENEWALS WITHIN CITY LIMITS (IN-N-OUT @ 805 MCKINLEY AVENUE SW; GASCO EXPRESS MART @ 3325 HARMONT AVE NE; & SHORB DRIVE THRU @ 829 12<sup>TH</sup> STREET NW); EMERGENCY

## ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

274/2003 7. RESOLUTION APPROVING SERVICES TO THE PROPERTY OWNER IN THE FORD/REPUBLIC GEORGETOWN ROAD ANNEXATION AREA, DATE SERVICES WILL BE PROVIDED & ZONING USES UPON ANNEXATION TO THE CITY OF CANTON; EMERGENCY

AMENDED

275/2003 8. AMENDING THE CODIFIED ORDINANCES, CHAPTER 181, RE: RECENTLY MANDATED GUIDELINES FOR LOCAL INCOME TAX; EMERGENCY

276/2003 9. AUTHORIZING MAYOR AND/OR SERVICE DIRECTOR TO ENTER INTO MEMORANDUM AGREEMENT WITH UNITED STATES OF AMERICA AND GENERAL SERVICE ADMINISTRATION (GSA) TO ACQUIRE FEE SIMPLE TITLE AND SITE FOR BUILDING CONSTRUCTIONS LEASED BY GSA FOR THE CANTON FEDERAL CENTER;

**EMERGENCY** 

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

**277/2003** 10. AMENDING O.55/77 TO REZONE LOTS NOS. 25949-25991 LOCATED AT 3865 MAHONING RD NE FROM R-1A TO PR-4 AS REQUESTED BY MARTIN & DARLENE MORRIS; EMERGENCY

PUB HRG. HELD 12/15/03 @ 7:30 PM

ANNOUNCEMENT OF COMMITTEE MEETINGS NONE (last meeting of 2002-2003 term)

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY): (None)

MISCELLANEOUS BUSINESS: Adoption and presentation of Resolutions #91-95.

ADJOURNMENT TIME: (9:59 PM)

A SPECIAL MEETING OF COUNCIL WILL BE HELD FOLLOWING SWEARING-IN CEREMONIES
ON THURSDAY, JANUARY 1, 2004 @ 11:00 AM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD MONDAY, JANUARY 12, 2004 @ 7:30 PM