CANTON CITY COUNCIL 7:30 P.M. MAY 16, 2005

ROLL CALL: 11 Councilmembers present, 1 absent (Diamond) INVOCATION: Given by Councilmember-at-Large Donald E. Casar PLEDGE OF ALLEGIANCE: Led by President of Council Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Amended 1st Rdg 0#6; Adopted 1st Rdg 0#6&7; Suspended Rule 22A to add 2nd Rdg 0#12-24; Amended 0#26)

PUBLIC HEARINGS:

7:30 PM REQUEST BY CHRIS MAGGIORE TO VACATE PART OF PARK DRIVE NW NORTH OF FULTON ROAD FOR MAGGIORE'S GAS STATION/CONVENIENCE STORE. (PLANNING COMMISSION RECOMMENDS APPROVAL)

No Public Speakers See 0.93/2005

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): NO PUBLIC SPEAKERS

INFORMAL RESOLUTIONS:

VICE PRESIDENT DONALD E. CASAR: EXCUSING MEMBER DIAMOND.

COMMUNICATIONS:

278. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE

DIRECTOR TO CONTRACT W/CANTON CITY SCHOOLS TO PROVIDE A \$25,000 CDBG GRANT FOR THE EARLY CHILDHOOD EDUCATION

PROGRAM. - COMMUNITY & ECONOMIC DEV & FINANCE CMTES

279. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE

DIRECTOR TO ENTER INTO AN AMENDMENT TO FUNDING AGREEMENT W/STARK COUNTY OUT OF POVERTY PARTNERSHIP IN THE AMOUNT OF

\$80,696.00. - COMMUNITY & ECONOMIC DEV & FINANCE CMTES

280. CD & PLANNING DIRECTOR POORMAN: PROVIDING A FINANCIAL STATEMENT FOR THE FREED HOUSING

CORPORATION AS REQUESTED BY CITY COUNCIL AT 5/9/05 COMMITTEE MEETINGS. - RECEIVED & FILED (See O#95/2005)

281. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE

DIRECTOR TO CONTRACT W/STARK PRESCRIPTION ASSISTANCE NETWORK INC TO PROVIDE A \$15,000 CDBG GRANT FOR MEDICAL PRESCRIPTION COSTS FOR LOW/MODERATE INCOME PERSONS. - COMMUNITY &

ECONOMIC DEV & FINANCE CMTES

282. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE

DIRECTOR TO CONTRACT W/CANTON COMMUNITY CLINIC TO PROVIDE A \$175,000 CDBG GRANT FOR OPERATIONAL EXPENSES AT THE 1950 EAST

TUSC FACILITY. - COMMUNITY & ECONOMIC DEV & FIN CMTES

283. CD & PLANNING DIRECTOR POORMAN: REQUESTING LEGISLATION AUTHORIZING THE MAYOR &/OR SERVICE

DIRECTOR TO CONTRACT W/CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE A \$175,000 CDBG GRANT FOR A COMPREHENSIVE ECONOMIC & DOWNTOWN DEVELOPMENT PROGRAM. - COMMUNITY &

ECONOMIC DEV & FINANCE CMTES

284. HEALTH BENEFITS ADMIN BRESSON: APRIL 2005 MONTHLY COMPARATIVE REPORT OF INS. CLAIMS, & JAN-

APRIL 2005 PAID CLAIMS & COMPARATIVE REPORT. - REC'D & FILED

285. HEALTH COMMISSIONER PATTISON: REQUEST TO APPROPRIATE THE UNAPPROPRIATED CASH BALANCES IN

2353 SWIMMING POOL, 2354 SOLID WASTE MATERIAL, 2356 TATTOO

PARLOR REGISTRATION & 2351 FOOD SERVICE ACCOUNTS. - FIN CMTE

286. LIQUOR CONTROL DIVISION (OHIO): HISTORIC CITI ENTERPRISES LTD, 101 CENTRAL PLAZA S, HAS REQUESTED

TRANSFER OF OWNERSHIP & LOCATION OF A D5 LIQUOR PERMIT CURRENTLY HELD BY SEAN SNYDER @ 220 NORTH MARKET. - INTGVT &

PUB SERV CMTE

287. LIQUOR CONTROL DIVISION (OHIO): CHRISTINA DIMICHELE HAS REQUESTED A NEW D1 LIQUOR PERMIT AT

3151 MAHONING ROAD NE. - INTGVT & PUB SERV CMTE

288. MAYOR CREIGHTON: REQUEST COUNCIL'S CONFIRMATION OF THE REAPPOINTMENT OF

BARBARA ROSENBERG TO THE FAIR EMPLOYMENT PRACTICES BOARD

FOR A 3 YEAR TERM 5/1/05-4/30/08. - PERSONNEL CMTE

COMMUNICATIONS CONTINUED:

289. PLANNING COMMISSION: RECOMMENDING APPROVAL OF THE VACATION OF PARTS OF 7TH STREET

& WELLS AVENUE NW AS REQUESTED BY EDWARD OVERDORF FOR IRON

WORKERS LOCAL 550. - PUBLIC SAFETY & THRU CMTE

290. PLANNING COMMISSION: RECOMMENDING APPROVAL TO REPLAT PART OF OUTLOTS 488-491, 493

& PARTS OF LOTS 3297 & 3301 AS REQUESTED BY THE CITY OF CANTON

FOR THE TRAFFIC SIGN & PAINT DEPT. - PUBLIC SAFETY & THRU CMTE

291. PLANNING COMMISSION: RECOMMENDING APPROVAL OF THE DEDICATION OF THE REMAINDER OF

CROWN PLACE NW BETWEEN CLARENDON & COLUMBUS; & RECOMMENDING APPROVAL OF THE VACATION OF MILTON PLACE NW & REPLATTING OF LOTS FOR DEVELOPMENT OF THE NEW CLARENDON

ELEMENTARY SCHOOL. - PUBLIC SAFETY & THRU CMTE

292. SAFETY DIRECTOR HUNT: REQUEST \$15,575 PAYMENT TO PATH MASTER INC FOR EMERGENCY

REPLACEMENT OF TRAFFIC SIGNAL AT 6TH & PROSPECT SW/I-77 SB OFF-RAMP DAMAGED BEYOND REPAIR IN AN AUTO ACCIDENT; & REQUESTING \$15,575 SUPPLEMENTAL APPROPRIATION FROM THE 4501 CAPITAL IMPROVEMENT FUND FOR SAME. - PUBLIC PROPERTY CAPITAL

IMPROVEMENT & FINANCE CMTES

293. SAFETY DIRECTOR HUNT: REQUESTING LEGISLATION TO MAKE APPLICATION & ACCEPT A GRANT

FROM THE STATE OF OHIO GOVERNOR'S HIGHWAY SAFETY OFFICE LAW ENFORCEMENT OVERTIME PROJECT PLAN FOR OVERTIME SPEED & SEAT BELT ENFORCEMENT IN FISCAL YEAR 2006. - MARKETING & DEV GRANT

& FINANCE CMTES

294. SERVICE DIRECTOR CONCATTO: REQUESTING LEGISLATION TO PAY A \$13,505.64 MORAL OB TO

SOUTHEASTERN EQUIPMENT COMPANY FOR REPAIR OF WATER

DEPARTMENT'S BACKHOE. - PUB PROP CAP IMP & FINANCE CMTES

295. TREASURER SCHIRACK: REPORTS OF TREASURER'S OFFICE BANK RECONCILIATIONS & CITY'S

OUTSTANDING INVESTMENTS AS OF 4/29/05. - RECEIVED & FILED

296. TREASURER SCHIRACK: REQUESTING LEGISLATION FOR A LIST OF ELIGIBLE DEPOSITORY BANKS

& DESIGNATION OF THE AMOUNT OF PUBLIC MONEYS AVAILABLE FOR

ACTIVE & INTERIM DEPOSITS. - FINANCE CMTE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

1. AUTHORIZING THE AUDITOR TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT W/FINANCIAL NETWORK OF AMERICA LTD FOR AN ALTERNATIVE 457 DEFERRED COMPENSATION PROGRAM; EMERGENCY.

Referred to Personnel Committee

1ST RDG 2. AMENDING EXHIBIT A TO MANAGEMENT/NON-BARGAINING UNIT PERSONNEL 0.164/2001 TO INCREASE THE MAXIMUM SALARY RANGE OF THE CHIEF DEPUTY, CHIEF INFORMATION OFFICER, DEPUTY AUDITOR

III & DEPUTY INTERNAL AUDITOR IN THE AUDITOR'S OFFICE; EMERGENCY.

Referred to <u>Personnel & Finance Committees</u>

<u>1ST RDG</u> 3. AMENDING 0.253/2004 FOR A \$97,000 SUPPLEMENTAL APPROPRIATION FROM THE 2328 PUBLIC

HEALTH INFRASTRUCTURE GRANT FUND FOR THE HEALTH DEPARTMENT; EMERGENCY.

Referred to <u>Finance Committee</u>

1ST RDG 4. AMENDING EXHIBIT A TO MANAGEMENT/NON-BARGAINING UNIT PERSONNEL 0.164/2001 TO INCREASE THE MAXIMUM SALARY RANGE FOR THE CITY PROSECUTOR, FIRST ASSISTANT PROSECUTOR, ASSISTANT

PROSECUTOR, ASSISTANT PROSECUTOR-DOMESTIC VIOLENCE, CHIEF COUNSEL, & ASSISTANT LAW DIRECTOR POSITIONS & PERMIT A 3% WAGE INCREASE RETROACTIVE TO 1/1/05; EMERGENCY

Referred to Personnel & Finance Committees

1ST RDG 5. AMENDING EXHIBIT B TO MANAGEMENT/NON-BARGAINING UNIT PERSONNEL 0.164/2001 TO INCREASE

THE SALARIES FOR ALL STEPS OF ALL GRADES BY 3% RETROACTIVE TO 1/1/05; EMERGENCY

Referred to Personnel & Finance Committees

93/2005 6. VACATING PART OF PARK DRIVE NW AS REQUESTED BY CHRIS MAGGIORE; EMERGENCY.

Referred to Public Safety & Thoroughfares Committee PUB HRG HELD 5/16/05 @ 7:30 PM

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING - CONTINUED:

AMENDED

94/2005* 7. DECLARING 23 22 BUILDINGS (1132 5TH NW, ETC) TO BE PUBLIC NUISANCES; AUTHORIZING THE SAFETY DIRECTOR TO CONTRACT FOR THEIR DEMOLITION; AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY

DEMOLITION COSTS TO THE COUNTY AUDITOR; EMERGENCY (2039 E. Tusc postponed)

Referred to <u>Community & Economic Development & Finance Committees</u>

1ST RDG 8. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A \$22,684.44 CONTRACT W/MYTHICS INC FOR THE PURCHASE OF AN ORACLE APPLICATION SERVER LICENSE & ORACLE PROCESSOR LICENSE PURSUANT TO

ORC SEC. 124.04; EMERGENCY

Referred to <u>Public Property Capital Improvement & Finance Committees</u>

1ST RDG 9. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO CHANGE ORDERS #3&4 W/ESLICH WRECKING

COMPANY IN A TOTAL AMOUNT OF \$69,100 FOR ADDITIONAL DEMOLITION & SITE RESTORATION WORK AT THE KRESGE BLOCK; EMERGENCY

Referred to Community & Economic Development & Finance Committees

10. APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE STARK-TUSC-WAYNE JOINT SOLID WASTE MANAGEMENT DISTRICT; EMERGENCY

Referred to Intergovernmental & Public Service & Finance Committees

11. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A \$23,960 PROFESSIONAL SERVICE CONTRACT W/ATELIER CORP OF WILSON-HAWK, DBA THE WILSON ARCHITECTURAL GROUP, FOR ARCHITECTURAL SERVICES RELATED TO THE FEDERAL CAMPUS PROJECT; EMERGENCY Referred to Community & Economic Development & Finance Committees

*7:39 - 7:45 PM Recess for committee meetings on 0#6&7, returned to the agenda for adoption.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

SUSPENDED RULE 22A TO ADD 0#12-24:

- 2ND RDG 12. ESTABLISHING \$2,000 FAIR REUSE VALUE OF 1 PARCEL (#02-80867) OF CITY-OWNED PROPERTY LOCATED ON MARKET AVENUE N; AUTHORIZING SALE & CONVEYANCE TO FOREST CITY RESIDENTIAL MANAGEMENT INC (CANTON TOWERS) PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY. (PPCI)
- 2ND RDG 13. AUTHORIZING CANTON TO ANNEX 15.561 ACRES KNOWN AS THE SHAWNEE/CANTON TOWNSHIP ANNEXATION AREA; ASSIGNING SAID TERRITORY TO WARD 6; ZONING SAID TERRITORY AS R-3; EMERGENCY. (Jud) PUB HRG 5/23/05 @ 7:30 PM
- 2ND RDG 14. AMENDING ZONING 0.55/77 TO REZONE LOTS #5159, 5160 & 5161 LOCATED AT 11TH STREET & GARFIELD AVE SW AS REQUESTED BY DONALD LEUCHTAG DBA RL EDWARDS CO. FOR THE PURPOSE OF CREATING ON-PREMISE PARKING; EMERGENCY. (Jud) PUB HRG 5/23/05 @ 7:31 PM
- 2ND RDG 15. VACATING PORTIONS OF RIVERSIDE DRIVE SE, WATER COURT SE, FORK PLACE SE, RAKE COURT SE, & IDA PLACE SE REQUESTED BY GROFFRE, INC; EMERGENCY. (PS&T) PUB HRG 5/23/05 @ 7:32 PM
- 2ND RDG 16. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO 1-YR CONTRACT W/THE CANTON SYMPHONY ORCHESTRA ASSOCIATION TO PROVIDE A \$40,000 GRANT FOR THE CHILDREN'S ARTS CONNECTION PROGRAM; EMERGENCY. (CED & Fin)
- 2ND RDG 17. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/THE YMCA OF CENTRAL STARK COUNTY TO PROVIDE A \$30,000 EMERGENCY SHELTER GRANT FOR ESSENTIAL SERVICES; EMERGENCY. (CED & Fin)
- 2ND RDG 18. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/THE CANTON SYMPHONY ORCHESTRA ASSOCIATION TO PROVIDE A \$40,000 GRANT FOR THE 2005 CONCERT IN THE PARK; EMERGENCY. (CED & Fin)
- 2ND RDG 19. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/ST. PAUL'S SENIOR HOUSING INC TO PROVIDE A \$65,471 GRANT FOR COSTS ASSOCIATED WITH THE REFINANCING OF ST. PAUL'S SENIOR HOUSING COMPLEX; EMERGENCY. (CED & Fin)
- 2ND RDG 20. AMENDING 0.253/2004 BY MAKING SUPPLEMENTAL APPROPRIATIONS, REDUCTIONS AND INTERFUND TRANSFERS FOR THE CITY OF CANTON 2005 CAPITAL IMPROVEMENTS PROGRAM; EMERGENCY. (PPCI & Fin)
- 21. AMENDING 0.253/2004 BY MAKING A \$4,698.82 SUPPLEMENTAL APPROPRIATION FROM THE 5223 WATER CRITICAL INFRASTRUCTURE PROTECTION FUND TO PURCHASE & INSTALL SECURITY EQUIPMENT & PERIMETER FENCING; EMERGENCY. (Fin)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING - CONTINUED:

- 22. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO AGREEMENT WITH STARK COUNTY TO PROCEED WITH A JOINT PAVING PROJECT; EMERGENCY. (IPS & Fin)
- 23. AMENDING 0.253/2004 BY MAKING A \$57,500 SUPPLEMENTAL APPROPRIATION FROM THE 1001 GENERAL FUND FOR CIVIC CENTER ADMINISTRATION; AMENDING 0.174/95 FOR CIVIC CENTER PETTY CASH CHANGE DRAWER; EMERGENCY. (Fin)
- 2ND RDG 24. A RESOLUTION APPROVING STATEMENT OF SERVICES TO BE PROVIDED TO PROPERTY OWNER IN THE GROFFRE/BROADWAY ANNEXATION AREA; EMERGENCY. (Annex)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

<u>95/2005</u> 25. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/FREED HOUSING CORPORATION TO PROVIDE A \$438,480 GRANT FOR TWO HOUSING PROGRAMS; EMERGENCY.

AMENDED

26. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/NOVA BEHAVIORAL HEALTH TO PROVIDE \$75,000 GRANT FOR MISCELLANEOUS REPAIR/RENOVATION COSTS FOR THE BUILDING @ 832 MARKET McKINLEY AVE N; EMERGENCY.

- <u>97/2005</u> 27. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/J.R. COLEMAN FAMILY SERVICES FOR A \$48,650 GRANT FOR RENOVATION COSTS @ 2213 14TH ST NE; EMERGENCY.
- <u>98/2005</u> 28. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/WESTERN STARK MEDICAL CLINIC TO PROVIDE \$20,000 GRANT FOR MEDICAL STAFF COSTS; EMERGENCY
- <u>99/2005</u> 29. AUTHORIZING MAYOR OR SERVICE DIRECTOR TO ENTER INTO CONTRACT W/DOMESTIC VIOLENCE; PROJECT TO PROVIDE \$50,000 GRANT FOR SHORT-TERM HOUSING FOR VICTIMS OF DOMESTIC VIOLENCE; EMERGENCY
- 100/2005 30. APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOT 324 LOCATED BETWEEN 4TH & 5TH STREETS NE & BETWEEN ORCHARD & SPRING AS REQUESTED BY HABITAT FOR HUMANITY; EMERGENCY.
- 101/2005 31. APPROVING & ACCEPTING THE REPLATTING OF PART OF LOT NO. 7694 AT QUEEN CT NW & HERT PL AS PROPOSED BY CITY OF CANTON; EMERGENCY
- 102/2005 32. APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOTS NO. 29914- 29950, 29957-29975, 35044 & PART OF OL 491 & 493; APPROVING & ACCEPTING DEDICATION OF PART OF ALLEN AVE SE & PART OF MILL ST SE AS REQUESTED BY CITY OF CANTON; EMERGENCY.
- 103/2005 33. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$8,550 FEE MODIFICATION W/CIVIL DESIGN ASSOCIATES TO PROVIDE ENGINEERING & SURVEYING SERVICES FOR 19TH ST NE IMPROVEMENT; AMENDING 0.253/2004 FOR AN \$8,550 SUPPLEMENTAL APPROPRIATION FOR SAME; EMERGENCY.
- 34. AUTHORIZING SERVICE DIRECTOR TO ENTER INTO \$105,185 FEE MODIFICATION W/URS CORP TO PREPARE RIGHT-OF-WAY PLANS, RIGHT-OF-WAY ACQUISITION & ASSOCIATED ADDITIONAL PLAN PREPARATION FOR TUSCARAWAS ST IMPROVEMENT PROJECT W/ODOT, GP 1062; AMENDING APPROPRIATION 0.253/2004 FOR A \$105,185 SUPPLEMENTAL APPROPRIATION FOR SAME; EMERGENCY.
- 35. AUTHORIZING SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR DESIGN & CONSTRUCTION OF 2 SIGNS AT CANTON MEMORIAL CIVIC CENTER & CULTURAL CENTER FOR THE ARTS; AUTHORIZING MAYOR OR SERVICE DIRECTOR TO APPLY FOR & ACCEPT GRANT FROM ARTS IN STARK/CULTURAL CENTER & TO ENTER INTO CONTRACT FOR USE & MANAGEMENT OF SIGNS; EMERGENCY.

ANNOUNCEMENT OF COMMITTEE MEETINGS:

<u>Thursday, May 19, 2005 @ 9:00 AM, Council Caucus Room:</u> Finance Committee re: Budget Review Presentation re: Ohio Deferred Compensation Monday, May 23, 2005 @ 6:00 PM, Council Caucus Room

1. Community & Economic Development Committee; 2. Finance Committee; 3. Public Property Capital Improvement Committee; 4. Intergovernmental & Public Service Committee; 5. Personnel Committee

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

MISCELLANEOUS BUSINESS: NONE

ADJOURNMENT TIME: 8:14 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MAY 23, 2005 @ 7:30 PM