

AGENDA

CANTON CITY COUNCIL

7:30 P.M.

JANUARY 22, 2007

ROLL CALL: All Members Present

INVOCATION: Thomas West, Ward 2 Councilmember

PLEDGE OF ALLEGIANCE: Led by Majority Leader Don Casar

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg #14-#17 & 1st rdg O#12A; O#13 Retained in Cmte)

PUBLIC HEARINGS: (None)

PUBLIC SPEAKS (ORDINANCES OR RESOLUTIONS FOR ADOPTION ONLY): (None)

INFORMAL RESOLUTIONS:

ASSISTANT MAJORITY LEADER JOE CARBENIA: EXCUSING MEMBERS - (Not necessary, all members present)
President Schulman Absent

6. HAWK, G., WARD 1 CNCLMBR: COMMENDING JOANNE M. HARRISON FOR HER HARD WORK AND DEDICATION TO THE WEED AND SEED PROGRAM. - ADOPTED

7. PERSONNEL COMMITTEE: REQUEST TO APPOINT PASTOR ROBERT DYE TO FAIR EMPLOYMENT BOARD EXPIRING ON 12/31/09. - ADOPTED

COMMUNICATIONS:

24. CANTON PARKS DIR., PERRY: ADVISING THAT PARK COMMISSION MBR LON WINBERRY & DIR PERRY WOULD REPRESENT THE PARK COMMISSION ON A COMMITTEE TO LOOK INTO THE TREE COMMISSION CONCEPT. - RECEIVED & FILED

25. CD & PLANNING DIR., POORMAN: REQUEST LEGISLATION TO ENTER INTO CONTRACT W/BROWNFIELD RESTORATION GROUP FOR THE PHASE II ASSESSMENT WORK AT THE FORMER HERCULES ENGINE SITE. - FINANCE COMMITTEE

26. HART, R., WARD 7 CNCLMBR: PROPOSING THE CREATION OF A SIGNAGE PROGRAM AS A PART OF RECYCLING. - RECEIVED & FILED

27. HEALTH BENEFITS ADMIN., BRESSON: DECEMBER 2006, MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JAN - DEC 2006 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED

28. LAW DIR., MARTUCCIO: AUTHORIZE TO PREPARE LEGISLATION TO EITHER AMEND PREVIOUS, RELEVANT ORDINANCES, OR TO PREPARE A NEW ORDINANCE(S) TO AMEND THE CITY'S MAPS INCLUDED IN THE CEDA & THE CONSENSUAL, EXPEDITED ANNEXATION IN ORDER TO BRING THE DOCUMENTS INTO COMPLIANCE W/THE NEW CASE LAW & THE PENDING LITIGATION. - ANNEXATION COMMITTEE

29. LIQUOR CONTROL DIVISION (OHIO): REQUEST TRANSFER OF OWNERSHIP OF D2, D2X, D3 LIQUOR PERMIT FR: CATHIE L ADAMS DBA LITTLE COUNTRY BAR @ 1652 BRYAN AV SW 1ST FL FRONT TO: MARK A & FRANCES D MILLS DBA MARKS TAVERN. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE

30. LIQUOR CONTROL DIVISION (OHIO): ADVISING THAT HEARING REGARDING CANTON SOUTH DRIVE THRU, INC @ 1837 CLEVELAND AVE SW HAS BEEN CANCELLED. - RECEIVED & FILED

31. LIQUOR CONTROL DIVISION (OHIO): ADVISING THAT HEARING REGARDING MAC'S CONVENIENCE STORES, LLC @ 1212 - 12TH ST NW HAS BEEN CANCELLED. - RECEIVED & FILED

32. LIQUOR CONTROL DIVISION (OHIO): SUBMITTING NOTICE OF HRG FOR RENEWAL OF PERMIT ON 2/7/07 @ 11:00 A.M. (AHN, INC., DBA STORE, 1105 W. TUSC.). - RECEIVED & FILED

33. LIQUOR CONTROL DIVISION (OHIO): SUBMITTING NOTICE OF HRG FOR STOCK TRANSFER ON 2/7/07 @ 11:00 A.M. (AHN, INC., DBA STORE, 1105 W. TUSC.). - RECEIVED & FILED

34. MAYOR CREIGHTON: RECEIPT OF TENTATIVE AGREEMENT W/LOCAL 3449 & OHIO CNCL 8, OF AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES, AFL-CIO FOR COUNCIL'S APPROVAL OR REJECTION. - PERSONNEL COMMITTEE

COMMUNICATIONS CONTINUED:

35. MAYOR CREIGHTON: AUTHORIZE LAW DEPT TO DRAFT AMENDMENTS TO THE MANAGEMENT NON BARGAINING UNIT WAGE SCHEDULE, THE CLASSIFICATION PLAN FOR MANAGEMENT NON BARGAINING UNIT EMPLOYEES AND CHAPTER 151, EMPLOYMENT PROVISIONS OF THE CODIFIED ORDINANCES. - PERSONNEL COMMITTEE

36. MAYOR CREIGHTON: REQUEST AUTHORIZATION TO RE-APPOINT MR. CLINT ZOLLINGER TO THE

FAIR EMPLOYMENT PRACTICES BOARD EFF: 1/1/06 - 12/31/09. - PERSONNEL COMMITTEE

37. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REPLAT OF PART OF LOT 37589 AND PART OF OUT LOT 850 IN THE 3000 BLOCK OF CLEVELAND AVE N (ROGER DEVILLE). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
38. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REPLAT OF LOTS 26501 - 26503 ON 27TH ST NE BETWEEN GIBBS AVE NE & ROWLAND AVE NE (JIM STEVENSON). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
39. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REPLAT OF OUTLOT 1013 ON BELDEN AVE SE @ ED STEIN DR SE (HENDRIKSON TRAILER SUSPENSION). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
40. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REPLAT OF LOTS 101, 6524, 6525 AND THE LOTS CREATED BY THE VACATION OF 2 UNNAMED ALLEYS BETWEEN SHORB & MARION AVE SW (SPRING REALTY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
41. PLANNING COMMISSION: RECOMMENDING APPROVAL W/CONDITIONS OF PROPOSED ZONE CHANGE FOR 405 THE O JAY'S PARKWAY FR: B-3 TO: PB-4 (TARGET INVESTMENTS INC.). - JUDICIARY COMMITTEE
42. SAFETY DIR., HUNT: REQUEST TO RE-APPROPRIATE VARIOUS FUND ON BEHALF OF THE CANTON FIRE DEPT. - FINANCE COMMITTEE
43. SAFETY DIR., HUNT: AUTHORIZE DIR OF PUB SAFETY TO ENTER INTO A LEASE AGREEMENT W/PHIL CAPRI FOR THE PROPERTY LOCATED AT 903 - 12TH ST NW FOR SPACE FOR A POLICE SUB-STATION IN THE WEED & SEED AREA. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
44. SAFETY DIR., HUNT: AUTHORIZE DIR OF PUB SAFETY TO PAY A MORAL OBLIGATION ON BEHALF OF CANTON POLICE DEPT IN THE AMOUNT OF \$3,308.28. - FINANCE COMMITTEE
45. SERVICE DIR., CONCATTO: REQUEST TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT TO CONSTRUCT 14,700 FT OF 8 AND 12 IN WATER MAIN & INSTALL BOOSTER PUMP W/ STANDBY GENERATOR EXTENDING WATER MAINS INTO OSNABURG TWP; AUTHORIZE APPLICATION & ENTER INTO A CONTRACT W/OHIO WATER DEV AUTHORITY (OWDA) FOR LOAN IN AMT OF \$1,967,781 TO AMORTIZE OVER PERIOD OF 20 YRS; ESTABLISH SPECIAL ACCT TO SET UP FOR OSNABURG WATER MAIN EXTN FUND WHEN APPLICATION TO OWDA IS APPROVED & THAT OWDA PROCEEDS, ASSESSMENTS, TAP-IN FEES & WATER USE REVENUE RECEIVED FR THIS PROJECT BE USED FOR REPAYMENT OF OWDA LOAN & ALL CONTRACT COSTS, & W/ALL INTEREST EARNED ON BAL OF THIS FUND & FOREGOING FUNDS NOT DEPOSITED IN GEN OPRTG FUNDS OF WATER DEPT; DIRECT AUDITOR TO ESTABLISH OSNABURG WATER MAIN EXTEN FUND ACCT; REQUEST SUPP APP FR: UNAPP BAL OF OSNABURG WATER MAIN EXTN FUND ACCT TO: APP BAL OF THE OSNABURG WATER MAIN EXTN FUND ACCT ON LOAN APPROVAL. - ENVIRONMENTAL & PUBLIC UTILITIES & ANNEXATION COMMITTEES
46. SERVICE DIR., CONCATTO: AUTHORIZE THE DIR OF PUB SERVICE TO EXECUTE A CHANGE ORDER W/GROUND TECH, INC., IN AN AMOUNT NOT TO EXCEED \$13,646 AND AUTHORIZE SUPPLEMENTAL APPROPRIATION FOR THAT AMOUNT FR: UNAPPROPRIATED BAL OF THE 5410 SANITARY SEWER FUND TO: 5410 20-60-41 WPCC - BIOFILTER MEDIA REPLACEMENT PROJECT. - FINANCE COMMITTEE
47. SERVICE DIR., CONCATTO: AUTHORIZE DIR OF PUBLIC SERVICE TO ENTER INTO CONTRACT W/MITY-LITE, INC FOR THE PURCHASE OF 1,500 FOLDING CHAIRS, 15 STACKING CARTS & 5 STACKING BASES FOR THE CANTON MEMORIAL CIVIC CENTER IN THE AMOUNT OF \$53,616. - FINANCE COMMITTEE

COMMUNICATIONS CONTINUED

48. SERVICE DIR., CONCATTO: AUTHORIZE DIR OF PUB SERVICE TO ENTER INTO A CONTRACT W/MOTTER &
MEADOWS ARCHITECTS IN AN AMOUNT OF \$56,600 FOR ARCHITECTURAL/ENGINEERING SERVICES FOR CSD PROJECT. - FINANCE CMTE
49. STARK CO., COMMON PLEAS CT: RECEIPT OF RELATORS' VERIFIED COMPLAINT FOR: WRITS OF MANDAMUS &
PROHIBITION, DECLARATORY RELIEF & INJUNCTIVE RELIEF AND RECEIPT OF TEMPORARY RESTRAINING ORDER & PRELIMINARY INJUNCTION (ONASBURG TOWNSHP). - RECEIVED & FILED
50. TREASURER, SCHIRACK: DECEMBER 2006 PARKING METER REVENUE. - RECEIVED & FILED
51. TREASURER, SCHIRACK: DEPOSITS & PAY INS FOR THE MONTH OF DECEMBER 2006 FOR THE AMBULANCE LOCK BOX ACCOUNT. - RECEIVED & FILED

52. WESTBROOK PARK UNITED
METHODIST APPLICANT: ZONE CHANGE APPLICATION FOR 2521 - 12TH ST NW FR: R1-a TO: PB-4. -
PLANNING COMMISSION
53. WILLIAMS, ERIC, ATTORNEY: NOTICE OF ADMINISTRATIVE APPEAL FOR FILING IN THE CASE: PLAIN TWP
BOARD OF TRUSTEES V. BOARD OF COUNTY COMMISSIONERS, STARK
COUNTY, ET AL.(DIOGUARDI ANNEX) - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE MAYOR OR SERVICE DIR TO ENTER INTO JOB CREATION TAX INCENTIVE & NET
PROFITS INCENTIVE AGREEMENTS W/LITTLE CHICAGO INVESTMENTS, INC. DBA LITTLE CHICAGO
BISTRO PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE PROGRAM; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 2. AUTHORIZE MAYOR AND/OR SERVICE DIR TO FILE AN APPLICATION TO THE STATE OF OHIO TO
PARTICIPATE IN THE CLEAN OHIO REVITALIZATION FUND, APPLY FOR FINANCIAL ASSISTANCE &
ADMINISTER THE FUNDS RECEIVED FOR THE HERCULES PROJECT; EMERGENCY
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZE MAYOR AND/OR SERVICE DIR TO FILE AN APPLICATION TO THE STATE OF OHIO TO
PARTICIPATE IN THE CLEAN OHIO REVITALIZATION FUND, APPLY FOR FINANCIAL ASSISTANCE &
ADMINISTER THE FUNDS RECEIVED FOR THE BISON PROJECT; EMERGENCY
Referred to Finance Committee
- 1ST RDG 4. AUTHORIZE MAYOR OR SERVICE DIR TO ENTER INTO JOB CREATION TAX INCENTIVE & NET
PROFITS INCENTIVE AGREEMENTS W/REM COMMERCIAL PURSUANT TO THE CITY'S ECONOMIC
GROWTH INITIATIVE PROGRAM; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 5. AMEND EXHIBIT A TO O#40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT
PERSONNEL EMPLOYED BY THE CITY OF CANTON; EMERGENCY
Referred to Personnel Committee
- 1ST RDG 6. APPROVING A 3 YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON &
AFSCME LOCAL 2937/OHIO COUNCIL 8; EMERGENCY
Referred to Personnel Committee
- 1ST RDG 7. AUTHORIZE SAFETY DIR TO ACCEPT A DONATION TO ASSIST IN THE PURCHASE OF WATER
RESCUE EQUIPMENT; AMENDING APPROPRIATION O# 241/2006, AS AMENDED BY MAKING THE
SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$1,000 FR: UNAPPROPRIATED BAL OF THE
2783 FIRE DONATION FUND TO: 2783 FIRE DONATION FUND - OTHER; EMERGENCY
Referred to Finance Committee
- 1ST RDG 8. AUTHORIZE THE SAFETY DIR TO ENTER INTO CONTRACT W/BURGESS AMBULANCE SALES, INC.,
& ROAD RESCUE, INC., FOR THE PURCHASE OF A MEDIC UNIT AND/OR RELATED EQUIPMENT
PURSUANT TO O.R.C. SECTION 125.04; EMERGENCY
Referred to Finance Committee
- 1ST RDG 9. AUTHORIZE SAFETY & SERVICE DIRECTORS TO ADVERTISE, RECEIVE BIDS & ENTER INTO
CONTRACT FOR SUPPLY ITEMS, MATERIALS & PROFESSIONAL SERVICES FOR THE CITY OF
CANTON'S OPERATIONS DURING THE 2007 CALENDAR YEAR; AUTHORIZE ALTERNATIVELY THE
PURCHASE OF SAID ITEMS PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT
AND/OR ODOT PURCHASING AGREEMENT; EMERGENCY
Referred to Finance Committee
- 1ST RDG 10. AUTHORIZE SERVICE DIR TO ENTER INTO CONTRACT W/THE CANTON JOINT RECREATION
DISTRICT FOR FIELD MAINTENANCE AT THURMAN MUNSON MEMORIAL STADIUM; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 11. AMEND APPROPRIATION O# 241/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL
APPROPRIATION OF \$71,352.33 FR: UNAPPROPRIATED BAL OF THE 2327 LEAD SERVICES FUND TO:
2327 LEAD SERVICES - OTHER; EMERGENCY
Referred to Finance Committee
- 1ST RDG 12. AUTHORIZE SERVICE DIR TO ENTER INTO PROFESSIONAL SERVICES CONTRACTS FOR HEALTH
CARE BENEFITS ADMINISTRATION & STOP-LOSS INSURANCE FOR CITY EMPLOYEES & THEIR
DEPENDENTS; EMERGENCY
Referred to Finance Committee
- 1ST RDG 12A. AUTHORIZE MAYOR OR ANNEX. DIR TO FILE AMENDED MAP & CEDA RE: PREVIOUSLY FILED
ANNEXATIONS &/OR RE-FILE EXPEDITED ANNEXATION; EMERGENCY
Referred to Annexation Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**SUSPENDED RULE 22A TO ADD O#14 - #17; O#13 Retained in Cmte:****RETAINED IN**

- CMTE 13. AMEND CHAPTER 743, JUNK DEALERS, OF PART SEVEN - BUSINESS REGULATION CODE OF THE
CODIFIED ORDINANCES OF THE CITY OF CANTON.
(JUD)
- 2ND RDG 14. AUTHORIZE SAF DIR TO ACCEPT A DONATION TO ASSIST IN PURCHASE OF WATER RESCUE
EQUIP; AMEND APPROPRIATION ORD# 241/2006 MAKING \$1,000 SUPPLEMENTAL APPROPRIATION

FR UNAPPROPRIATED BAL OF 2783 FIRE DONATION FUND TO 2783 FIRE DONATION FUND;
EMERGENCY
(FIN)

2ND RDG 15. AMEND SEC 921.01, 921.02, 921.03 & 921.06 OF CHAPTER 921, CITYSCAPE SIDEWALK & CURB PROGRAM, OF CODIFIED ORDINANCES OF CITY OF CANTON.
(PPCI & JUD)

2ND RDG 16. AUTHORIZE SERV DIR TO ENTER INTO A ROAD MAINTENANCE AGREEMENT W/ STARK COUNTY COMMISSIONERS; EMERGENCY
(PS&T)

2ND RDG 17. AUTHORIZE THE MAYOR TO SUBMIT THE CITY'S COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY AS REQUIRED BY THE US DEPT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION, & TO ACCEPT FUNDING ON BEHALF OF CITY OF CANTON; EMERGENCY
(C&ED)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING AND VOTE:

6/2007 18. AUTHORIZE & CONSENT GROUND MOUNTED SIGNS UPGRADE/REPLACEMENT UNDER SUPERVISION OF DIR OF TRANSPORTATION OF STATE OF OHIO FOR VARIOUS ROUTES IN STARK CO.; EMERGENCY

7/2007 19. AUTHORIZE CITY AUDITOR TO PAY \$37,204.00 MORAL OBLIGATION TO CANTON CITY SCHOOLS FOR 3 RECYCLING CTRS; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, JANUARY 29, 2007 In Council Caucus @ 5:30 PM

- 1) Community & Economic Development Committee
- 2) Finance Committee
- 3) Annexation Committee
- 4) Personnel Committee

PUBLIC SPEAKS: (None)

MISCELLANEOUS BUSINESS: Thomas West: Discussion re: Youth City Council; Greg Hawk: Ice sculpting event was very successful & went very well.

ADJOURNMENT TIME: 7:59 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JANUARY 29, 2007 @ 7:30 PM

***FYI: February 5, 2007 City Council Meeting will be held at Timken High school*