<u>A G E N D A</u>		
CANTON CITY COUNCIL7:30 P.M.March 22, 2004ROLL CALL:10 Councilmembers present, 2 absent (Diamond & Hart*)*Present at 7:32 PMINVOCATION:Given by Ward 6 Councilmember David DoughertyPLEDGE OF ALLEGIANCE:Led by President of Council President Ray Denczak		
<u>AGENDA CORRECTIONS &amp; CHANGES</u> : (Suspended Rule 22A to add 2 <sup>nd</sup> Rdg 0#7-18; Suspended Rule 22B to add 1 <sup>ST</sup> Rdg 0#4,5&6; 0#15&16 Retained in Committee)		
PUBLIC HEARINGS:7:30 PMA 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 0#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, 1 <sup>ST</sup> 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
Communications - continued:		
<u>178</u> .	PLANNING COMMISSION:	RECOMMENDING APPROVAL OF REQUEST BY COOPER & ASSOCIATES FOR HABITAT FOR HUMANITY TO VACATE PORTIONS OF AN UNNAMED 10' ALLEY, SOUTH OF 16 <sup>TH</sup> ST NE & TO REPLAT LOTS 8907 & 13968 AND THE VACATED ALLEY INTO ONE RECONFIGURED LOT PUBLIC SAFETY & THOROUGHEARES COMMITTEE

PUBLIC SAFETY & THOROUGHFARES COMMITTEE

- 180.
   PLANNING COMMISSION:
   RECOMMENDING APPROVAL OF REQUEST BY VFW POST 3417 FOR A

   2001
   ZONE CHANGE FROM R-1a TO PB-3, LOCATED @1836 8<sup>TH</sup> 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 4<sup>TH</sup> 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:

- 1<sup>ST</sup> 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
   2<sup>ND</sup> RDG OF NEXT AGENDA
- <u>1<sup>ST</sup> RDG</u> 3. APPROVING AND ACCEPTING THE REPLATTING OF PARTS OF LOTS 2457, 2458, 2459 & 2460 INTO 2 RECONFIGURED LOTS LOCATED SOUTH OF 4<sup>TH</sup> STREET SW AT UNION AVENUE AS REQUESTED BY EDWARD METZGER, SURVEYOR FOR HABITAT FOR HUMANITY; EMERGENCY Referred to <u>Public Safety and Thoroughfares Committee</u>

## SUSPENDED RULE 22B TO ADD 0#4,5&6:

- <u>1<sup>ST</sup> RDG</u> 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 <u>Finance Committee</u>
- <u>1<sup>st</sup> RDG</u> 5. ESTABLISHING THE 1150 GENERAL ECONOMIC DEVELOPMENT FUND; AUTHORIZE MAYOR TO ADMINISTER SAID FUND; AMENDING APPROPRIATION 0#1/2004 FOR SUPPLEMENTAL APPROPRIATIONS IN THE AMOUNT OF \$250,000.00; EMERGENCY Referred to <u>Community & Economic Development and Finance Committees</u>
- <u>1<sup>ST</sup> RDG</u> 6. APPROVING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN AFSCME LOCAL 2937 AND THE CITY OF CANTON; EMERGENCY Referred to <u>Personnel Committee</u>

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING: SUSPENDED RULE 22A TO ADD 0#7-18:

- <u>2<sup>ND</sup> RDG</u> 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)
- <u>2<sup>ND</sup> RDG</u> 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:

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

- 2<sup>ND</sup> RDG 13. AUTHORIZING CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY LOCATED ON GROSS AVE NE FROM DARYL & CHERYL SMYTH; EMERGENCY (PPCI)
- 2<sup>ND</sup> 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**

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- <u>COMMITTEE</u> 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)
- <u>COMMITTEE</u> 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)
- <u>2<sup>nd</sup> RDG</u> 17. ESTABLISHING FAIR MARKET VALUE OF REAL PROPERTY FOR THE 44<sup>TH</sup> 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)
- 2<sup>ND</sup> RDG 18. AMENDING APPROPRIATION 0.1/2004 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:

- <u>36/2004</u> 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
- <u>37/2004</u> 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

Personnel Committee
 Intergovernmental & Public Service Committee
 Public Safety & Thoroughfares Committee
 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