

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

SEPTEMBER 22, 2003

ROLL CALL: 11 Councilmembers present, 1 absent (Carbenia)  
INVOCATION: Given by 2<sup>nd</sup> Ward Councilmember Kathleen Altieri-Bucher  
PLEDGE OF ALLEGIANCE: Led by President of Council President Ray Denczak

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 24B to add Resolutions #72 & 73; Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#7-11; Adopted 1<sup>st</sup> Rdg O#3 & 6; Defeated O#5; Postponed O#16 to 9/29/03)

PUBLIC HEARINGS: (None)

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

INFORMAL RESOLUTIONS:

VICE PRESIDENT SMUCKLER: EXCUSING MEMBER CARBENIA.

71. CARBENIA, WARD 9 MEMBER: COMMENDING THE AULTMAN HOME ON ITS 100<sup>TH</sup> ANNIVERSARY. - ADOPTED

**SUSPENDED RULE 24B TO ADD RESOLUTIONS #72-73:**

72. INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE: OBJECTION TO ISSUANCE OF NEW C1, C2 LIQUOR PERMIT REQUESTED BY AHN, INC. dba STORE, 1105 W. TUSCARAWAS STREET. - ADOPTED  
(See C#364)

73. INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE: OBJECTION TO ISSUANCE OF NEW C1, C2 LIQUOR PERMIT REQUESTED BY R & S CONVENIENT MART, INC. dba B & B SUPERMARKET, 636 CHERRY AVENUE NE. - ADOPTED  
(See C#365)

COMMUNICATIONS:

363. AUDITOR PEREZ: REQUEST FOR ADDITIONAL AMENDED CERTIFICATE DATED 9/18/03. - CLERK OF COUNCIL

364. LIQUOR CONTROL DIVISION, STATE OF OHIO: REQUEST FOR NEW C1, C2 LIQUOR LICENSE BY AHN, INC. dba STORE LOCATED AT 1105 W TUSCARAWAS ST. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE  
(See Resolution #72)

365. LIQUOR CONTROL DIVISION, STATE OF OHIO: REQUEST FOR NEW C1, C2 LIQUOR LICENSE BY R&S CONVENIENT MART, INC. dba B&B SUPERMARKET, LOCATED AT 636 CHERRY AVE NE. - INTERGOVERNMENTAL & PUBLIC SERVICE CMTE  
(See Resolution #73)

366. MALONE COLLEGE, ASST PROFESSOR WELLING, Ph.D: THANKING PRESIDENT OF COUNCIL FOR WELCOMING OHIO HISTORY & GOVERNMENT CLASS ON 9/8/03. - RECEIVED & FILED

367. PLANNING COMMISSION: RECOMMENDING APPROVAL OF ZONE CHANGE REQUEST BY NORM ECKINGER CONSTRUCTION FOR OSTER SAND & GRAVEL FROM CURRENT PI-1 TO NEW PI-1 TO PERMIT EXPANSION OF EXISTING BUSINESS ON EAST CENTER DR NE INTO THE CITY. - LAW DIR.  
**PUBLIC HEARING 10/27/03 @ 7:30 PM**

368. PLANNING COMMISSION: RECOMMENDING APPROVAL TO REPLAT PARTS OF OUTLOTS 968, 970 & 971 & LOTS 41649 & 41653 REQUESTED BY COOPER & ASSOC. FOR BURHAM HILLS CONDOMINIUMS. - LAW DIRECTOR

369. PLANNING COMMISSION: RECOMMENDING APPROVAL OF ZONE CHANGE REQUEST BY AMBULANCE ASSOCIATES FROM R-1a TO PB-4 TO BUILD NEW STORAGE BUILDING & PARKING and REZONE EXISTING AMBULANCE GARAGE AT 614 MCGREGOR AVE NW. - LAW DIRECTOR  
**PUBLIC HEARING 10/27/03 @ 7:31 PM**

370. PLANNING COMMISSION: RECOMMENDING APPROVAL OF VARIOUS ZONE CHANGE REQUESTS TO OFFICIAL ZONING MAP; RECOMMENDING DENIAL OF ZONE CHANGE REQUEST BY MEMBER HART FOR EAST END OF CHRISTMAS SEAL DRIVE FROM B-1 TO B-3. - LAW DIRECTOR  
**PUBLIC HEARING 10/27/03 @ 7:32 PM**

COMMUNICATIONS - CONTINUED:

371. SAFETY DIRECTOR CONCATTO: REQUEST FOR APPROVAL OF DEMOLITION OF 13 PARCELS. - LAW DIR.  
(See O#3, 1<sup>st</sup> Rdg)

372. SERVICE DIRECTOR MILLER: REQUEST TO NEGOTIATE & ENTER INTO SUPPLEMENTAL AGREEMENTS WITH CITY OF NORTH CANTON & STARK COUNTY FOR CAPITAL

IMPROVEMENTS ASSOCIATED WITH WPCC DIGESTER PROJECT. - LAW  
DIRECTOR (See O#4, 1<sup>st</sup> Rdg)

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1<sup>ST</sup> RDG 1. AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR 44<sup>TH</sup> STREET NE IMPROVEMENT PROJECT; AMENDING O.236/2002 BY MAKING A \$788,357 SUPPLEMENTAL APPROPRIATION AND TRANSFER FROM THE UNAPPROPRIATED BALANCE OF THE 4535 OPWC GP 1056 44<sup>TH</sup> STREET NE IMPROVEMENT FUND; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A \$24,850 CONTRACT WITH CT CONSULTANTS TO PROVIDE ENGINEERING SERVICE FOR FAIRMOUNT BOULEVARD NE STORM INTERCEPTOR PROJECT; AMENDING O.236/2002 BY MAKING A \$24,850 TRANSFER FROM THE 5410 202010 SEWER - DAILY OPERATIONS FUND; EMERGENCY  
Referred to Finance Committee
- 188/2003 3. DECLARING 13 BUILDINGS PUBLIC NUISANCES; AUTHORIZING SAFETY DIRECTOR TO ENTER INTO CONTRACT FOR DEMOLITION OF SAME; AUTHORIZING CLERK OF COUNCIL TO CERTIFY COSTS OF DEMOLITION TO STARK COUNTY AUDITOR; EMERGENCY  
Referred to Community & Economic Development Committee and Finance Committees
- 1<sup>ST</sup> RDG 4. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO SUPPLEMENTAL SEWER AGREEMENT WITH NORTH CANTON AND STARK COUNTY FOR WPCC "DIGESTER PROJECT"; EMERGENCY  
Referred to Intergovernmental & Public Service and Finance Committees
- DEFEATED 5. RESOLUTION APPROVING FACT FINDER'S RECOMMENDATION REPORT FOR SEPTEMBER 17, 2003 FOR SETTLEMENT OF CONTRACT DISPUTES BETWEEN CITY OF CANTON AND CPPA; EMERGENCY  
Referred to Personnel Committee
- 189/2003 6. RESOLUTION REJECTING FACT FINDER'S RECOMMENDATION REPORT FOR SEPTEMBER 17, 2003 FOR SETTLEMENT OF CONTRACT DISPUTES BETWEEN CITY OF CANTON AND CPPA; EMERGENCY  
Referred to Personnel Committee

RECESS FOR EXECUTIVE SESSION ON O#5 & 6 FROM 7:45 TO 8:08 PM.RECESS FOR COMMITTEE MEETINGS ON O#3, 5 & 6 FROM 8:09 TO 8:16 PM.ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:SUSPENDED RULE 22A TO ADD ORDINANCES #7-11:

- 2<sup>ND</sup> RDG 7. AMENDING O.55/77 TO REZONE LOT NO. 7137 LOCATED AT 1406 15<sup>TH</sup> ST SW FROM B-2 TO PB-4 AS REQUESTED BY JOHN & BRENDA GABRIEL; EMERGENCY. **PUBLIC HEARING 9/29/03 @ 7:30 PM**
- 2<sup>ND</sup> RDG 8. APPROVING & ACCEPTING REPLATTING OF ALL OR PARTS OF LOTS NOS. 41988-41991 & 42205-42207 & DEDICATION PLAT OF WAREHAM PL NE AS REQUESTED BY COOPER & ASSOCIATES AND NICHOLS FIELD SERVICES ON BEHALF OF HABITAT FOR HUMANITY; EMERGENCY
- 2<sup>ND</sup> RDG 9. AUTHORIZING THE MAYOR TO SUBMIT APPLICATIONS TO DIRECTOR OF OHIO PUBLIC WORKS COMMISSION & EXECUTE CONTRACTS FOR CAPITAL IMPROVEMENT PROJECTS FUNDING; EMERGENCY
- 2<sup>ND</sup> RDG 10. AUTHORIZING CITY AUDITOR TO PAY \$5,178.14 MORAL OBLIGATION TO ATTORNEY DAVID B. LANGDON FOR SERVICES IN *CASCADE NEWS v. CITY OF CANTON* LAWSUIT; EMERGENCY
- 2<sup>ND</sup> RDG 11. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO ONE YEAR CONTRACT FOR PURCHASE OF NATURAL GAS WITH FSG ENERGY SERVICES & RATIFYING SAID CONTRACT; EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- 190/2003 12. AMENDING O.236/2002 BY MAKING A \$190,000 SUPPLEMENTAL APPROPRIATION FROM THE 2328 PUBLIC HEALTH INFRASTRUCTURE FUND FOR THE HEALTH DEPARTMENT; EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING - CONTINUED:

- 191/2003 13. AMENDING O.236/2002 BY MAKING AN \$11,595 SUPPLEMENTAL APPROPRIATION FOR VETERAN'S MEMORIAL PARK FUND, \$5,235.47 SUPPLEMENTAL & TRANSFER TO PERMANENTLY CLOSE THE 7118 BENEFITS & INSURANCE FUND, & \$87,000 TRANSFER FROM POLICE & FIRE DEPT BUDGETS TO MAINTAIN OPERATIONS IN THE DISPATCH CENTER; EMERGENCY
- 192/2003 14. AMENDING O.236/2002 FOR A \$26,500 TRANSFER INTO THE 4501 202052 GP 1051 35<sup>TH</sup> STREET NE STORM SEWER FUND FOR CHANGE ORDERS & ADDITIONAL DRAINAGE WORK IN THE GP 1051 35<sup>TH</sup> STREET NE STORM SEWER PROJECT; EMERGENCY
- 193/2003 15. AUTHORIZING THE MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO A ONE YEAR CONTRACT WITH

THE CANTON SYMPHONY ORCHESTRA ASSOCIATION TO PROVIDE A \$40,000 GRANT FOR THE CHILDREN'S ARTS CONNECTION PROGRAM; EMERGENCY

**POSTPONED TO  
9/29/2003**

- 16.** AUTHORIZING THE MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH HABITAT FOR HUMANITY OF GREATER CANTON, INC. TO PROVIDE A \$60,000 GRANT FOR REIMBURSEMENT OF ACQUISITION AND SITE DEVELOPMENT COSTS; EMERGENCY
- 17.** AUTHORIZING THE MAYOR &/OR SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH PRIME TIME BASKETBALL, INC. TO PROVIDE A \$31,325 GRANT FOR THE PRIME TIME BASKETBALL PROGRAM; EMERGENCY
- 18.** AMENDING CITY CODE CHAPTER 515, FAIR HOUSING, OF PART FIVE - GENERAL OFFENSES CODE; EMERGENCY
- 19.** ESTABLISHING \$300 FAIR MARKET VALUE OF CITY OWNED LOT LOCATED ON SYCAMORE AVENUE NW; AUTHORIZING SALE & CONVEYANCE OF SAME PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY
- 20.** ESTABLISHING \$5,400 FAIR MARKET VALUE OF CITY OWNED LOT LOCATED ON SHORB AVENUE NW; AUTHORIZING SALE & CONVEYANCE OF SAME PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; EMERGENCY
- 21.** AUTHORIZING A \$200,000 ALLOCATION PER YEAR, PLUS INTEREST, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION FOR FIVE YEARS (FOR BUS GARAGE RELOCATION & DOWNTOWN FORD USED CAR AREA); EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:**

Monday, September 29, 2003 @ 6:30 PM, Caucus Room

1. Finance Committee
2. Intergovernmental & Public Service

**PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY):** (Council heard 2 speakers)

**MISCELLANEOUS BUSINESS**

**ADJOURNMENT TIME:** 8:47 PM

**THE NEXT REGULAR CITY COUNCIL MEETING WILL BE HELD MONDAY, SEPTEMBER 29, 2003 @ 7:30 PM**