

A G E N D A

CANTON CITY COUNCIL

7:30 P.M.

SEPTEMBER 29, 2003

ROLL CALL: All 12 Councilmembers present  
INVOCATION: Given by 3<sup>rd</sup> Ward Councilmember R.A. Mallonn  
PLEDGE OF ALLEGIANCE: Led by President of Council President Ray Denczak  
MOMENT OF SILENCE FOR CITY EMPLOYEE THURM ROHRER

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#6-8; Adopted 2<sup>nd</sup> Rdg O#6 & 7)

PUBLIC HEARINGS:

7:30 PM A REQUEST TO REZONE LOT #7137 LOCATED @ 1406 15<sup>th</sup> ST SW FROM B-2 TO PB-4 AS REQUESTED BY JOHN & BRENDA GABRIEL.  
(PLANNING COMMISSION RECOMMENDS DENIAL) (No Public Speakers) (SEE O# 9 - DEFEATED)

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

INFORMAL RESOLUTIONS:

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

74. COUNCIL-AS-A-WHOLE: COMMENDING CITY WORKERS INVOLVED IN RECENT FLOODING EMERGENCY DURING HALL OF FAME WEEK IN CANTON. - ADOPTED

75. SMUCKLER, MAJORITY LEADER: SUPPORTING NATIONAL ARTS & HUMANITIES MONTH. - ADOPTED

COMMUNICATIONS:

373. BUCKEYE ENERGY BROKERS: ANALYSIS OF CITY'S NATURAL GAS AGGREGATION PROGRAM FOR 2<sup>ND</sup> QUARTER 2003. - RECEIVED & FILED

374. ESMET, INC.: REQUEST TO VACATE AN UNNAMED ALLEY BETWEEN 5<sup>TH</sup> & 6<sup>TH</sup> ST SW EAST OF SCHROYER AVE SW FOR A MORE EFFICIENT USE OF ESMET PROPERTY. - PLANNING COMMISSION

375. MUNICIPAL COURT, COURT ADMINISTRATOR KOCHERA: REQUEST FOR APPROVAL OF COURT SECURITY PROPOSAL REQUIRING FUNDING FOR 3 ADDITIONAL POLICE OFFICERS. - FINANCE CHAIRMAN

376. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REQUEST TO REPLAT ALL OR PARTS OF LOTS & OUTLOTS INTO RECONFIGURED LOTS AS REQUESTED BY COOPER & ASSOC. FOR CHERRY HOMES & ABCD/GATEWAY PLACE. - LAW DIR.

377. SAFETY DIRECTOR CONCATTO: REQUEST TO ENTER INTO WORK AGREEMENTS IN CONJUNCTION WITH THE FULTON ROAD TRAFFIC SIGNAL SYSTEM IMPROVEMENT PROJECT. - LAW DIRECTOR

378. SERVICE DIRECTOR MILLER: REQUEST FROM ODOT FOR PARTICIPATORY LEGISLATION IN THE PRELIMINARY CONSTRUCTION COSTS FOR STATE HIGHWAY IMPROVEMENT PROJECTS PROGRAMMED FOR STATE FISCAL YEAR 2007. - LAW DIRECTOR (See O#5, 1<sup>st</sup> Rdg)

379. STARK COUNTY COMMISSIONERS: FORWARDING ALL DOCUMENTS RE: JEFFRIES BROTHERS ANNEXATION. - LAW DIRECTOR (See O#4, 1<sup>st</sup> Rdg) **PUB HRG 10/20/03 @ 7:33 PM**

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

1<sup>ST</sup> RDG 1. AMENDING ZONING O.55/77 TO REZONE LOT NO. 29043 LOCATED AT 2409-2411 4<sup>th</sup> ST NW FROM R-1A TO PR-2 AS REQUESTED BY JAMES & PATRICIA FRICKER; EMERGENCY  
Referred to Second Reading Portion of Next Agenda **PUB HRG 10/20/03 @ 7:30 PM**

1<sup>ST</sup> RDG 2. AMENDING ZONING O.55/77 TO REZONE PART OF OUTLOT 935 LOCATED AT 2535 FULTON DRIVE NW FROM B-3 TO PB-4 AS REQUESTED BY CHRIS MAGGIORE; EMERGENCY.  
Referred to Second Reading Portion of Next Agenda **PUB HRG 10/20/03 @ 7:31 PM**

1<sup>ST</sup> RDG 3. AMENDING ZONING O.55/77 TO REZONE PART OF OUTLOT 837 LOCATED AT 4330 KIRBY AVE NE FROM R-1a TO PB-3 AS REQUESTED BY DANIEL & MARCIA HARDING; EMERGENCY  
Referred to Second Reading Portion of Next Agenda **PUB HRG 10/20/03 @ 7:32 PM**

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

1<sup>ST</sup> RDG 4. AUTHORIZING CANTON TO ANNEX JEFFRIES BROTHERS ANNEXATION AREA, ASSIGNING SAID TERRITORY TO WARD 4 & ZONING SAID TERRITORY AS I-1; EMERGENCY  
Referred to Annexation Committee **PUB HRG 10/20/03 @ 7:33 PM**

- 1<sup>ST</sup> RDG 5. AUTHORIZING & CONSENTING TO RESURFACING OF SR 43 FROM US RT 30 NORTH TO CHERRY AVE RAILROAD BRIDGE & SR 43D (WALNUT AVE) FROM SR 172 (TUSCARAWAS ST E) SOUTH TO CHERRY AVE RAILROAD BRIDGE UNDER SUPERVISION OF DIRECTOR OF TRANSPORTATION OF STATE OF OHIO, WITH CANTON ASSUMING 20% OF COST OF PROJECT; EMERGENCY.  
Referred to Public Safety & Thoroughfares & Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

**RULE 22A SUSPENDED TO ADD ORDINANCES #6-8:**

- 199/2003** 6. 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
- 200/2003** 7. 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
- 2<sup>ND</sup> RDG 8. AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO SUPPLEMENTAL SEWER AGREEMENT WITH NORTH CANTON AND STARK COUNTY FOR WPCC "DIGESTER PROJECT"; EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD & FINAL READING:

- DEFEATED** 9. AMENDING ZONING O.55/77 TO REZONE LOT # 7137 LOCATED AT 1406 15<sup>TH</sup> ST SW FROM B-2 TO PB-4 AS REQUESTED BY JOHN & BRENDA GABRIEL TO PERMIT 5-UNIT APARTMENT & AUTO REPAIR GARAGE; EMERGENCY. **PUB HRG HELD 9/29/03 @ 7:30 PM**
- 201/2003** 10. 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
- 202/2003** 11. AUTHORIZING THE MAYOR TO SUBMIT APPLICATIONS TO DIRECTOR OF OHIO PUBLIC WORKS COMMISSION & EXECUTE CONTRACTS FOR CAPITAL IMPROVEMENT PROJECTS FUNDING; EMERGENCY
- 203/2003** 12. AUTHORIZING THE CITY AUDITOR TO PAY A \$5,178.14 MORAL OBLIGATION TO ATTORNEY DAVID B. LANGDON FOR SERVICES IN *CASCADE NEWS v. CITY OF CANTON* LAWSUIT; EMERGENCY
- 204/2003** 13. 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 - POSTPONED MATTER:

**POSTPONED TO**

- 10/6/03** 14. (POSTPONED FROM 9/22/03) 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:

**MONDAY, OCTOBER 6, 2003 @ 6:45 PM, CAUCUS ROOM**

1. Finance Committee
2. Annexation Committee
3. Public Safety & Thoroughfares Committee

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

MISCELLANEOUS BUSINESS: (None)

ADJOURNMENT TIME: 7:59 PM

**THE NEXT REGULAR CITY COUNCIL MEETING WILL BE HELD MONDAY, OCTOBER 6, 2003 @ 7:30 PM**