

**FINAL**  
**A G E N D A**  
7:30 PM

CANTON CITY COUNCIL

OCTOBER 18, 2010

**ROLL CALL:** Eleven Members Present

**MOTION TO EXCUSE MEMBERS:** President Schulman and Member Griffin Absent

**INVOCATION:** Chris Smith Ward 4 Council Member

**PLEDGE OF ALLEGIANCE:** Led by President Pro Tem Dougherty

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#7 & O#8; O#10 and O#13 Adopted as Amended)

**PUBLIC HEARINGS:** (None)

**OLD BUSINESS:** Reviewed Pending Issues from Public Speaks

**PUBLIC SPEAKS (CITY BUSINESS):** Nancy Markland has lived next to Allen School since 1928 and is upset with the changes that will be taking place at the building. She doesn't want to give up her home but would do so if it is the best thing for the city. Miss Markland has been told that homeless people will be moving into the school and that makes her nervous. She would like to know if there will be any type of security for the people moving in to the old school. C. David Morgan does not object to the changes in City Hall or the process of government but feels the consideration of Charter government should be made by the people. Chet Warren wanted to thank all Council for the second chance of opening the Negro Oldtimers Club. They have been in business for 50 years and won't let the city down.

**INFORMAL RESOLUTIONS:**

48. DOUGHERTY, D., MJR LDR & SMUCKLER, B., CNL AT LRG: AUTHORIZE ADMINISTRATION TO ALLOCATE UP TO \$33,000.00 FOR CHOICE NEIGHBORHOOD PLANNING GRANT. - ADOPTED

**COMMUNICATIONS:**

386. APPLICANT, FAIRBANKS BLDG CO. LLC: REQ ZONE CHANGE @ 2699 ROBERTS AVE NW FROM PB-4 (PLANNED SPECIAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS). - PLANNING COMMISSION
387. COMMUNITY DEV DIR WILLIAMS: ESTABLISH FAIR REUSE VALUE OF REAL PROPERTY & AUTHORIZE DISPOSITION OF SAID PROPERTY (MILAN DOLANSKI - PARCEL 02-33562 ON 15<sup>TH</sup> ST NW). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
388. COMMUNITY DEV DIR WILLIAMS: ESTABLISH FAIR REUSE VALUE OF REAL PROPERTY & AUTHORIZE DISPOSITION OF SAID PROPERTY (DAVID & BEVERLY BROOKSHIRE - PARCEL 02-01291 ON LAWRENCE RD NE). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
389. COMMUNITY DEV DIR WILLIAMS: ESTABLISH FAIR REUSE VALUE OF REAL PROPERTY & AUTHORIZE DISPOSITION OF SAID PROPERTY (LEMMEL & MARY DOTSON - PARCEL 02-35106 ON ROWLAND AVE NE). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
390. COMPLIANCE DIR MINOR SMITH: RECEIPT OF PERFORMANCE ASSESSMENT OF CANTON FAIR HOUSING COMMISSION FOR REVIEW PERIOD OF 7/1/09 - 6/30/10. - RECEIVED & FILED
391. DEPARTMENT OF COMMERCE: NOTIFICATION OF CORRECTION OF ADDRESS CHANGE FOR REQ FOR NEW D1 D3 D6 LIQUOR PERMIT FOR CHIPOTLE MEXICAN GRILL @ 4130 TUSCARAWAS ST W (ORIGINALLY PROVIDED AS 4332 TUSCARAWAS ST W). - RECEIVED & FILED
392. HEALTH ADMIN MCBRIDE: SEPT 2010, MNTHLY COMPARATIVE RPT, INSURANCE CLAIMS. - RECEIVED & FILED
393. HEALTH COMMISSIONER ADAMS: REQ APPROP OF \$117,000.00 FROM UNAPPROP FUNDS OF 2328 PHEP FUND TO 2328 PHEP FUND. - FINANCE COMMITTEE
394. MAYOR WILLIAM HEALY: REQ AUTHORIZATION OF RE-APPT OF DEBORAH ROHRBACH AND ROBERT THOMPSON TO FAIR EMPLOYMENT PRACTICES BOARD FOR 3 YR RETRO TERM FROM 2/28/10 TO 2/28/13. - PERSONNEL COMMITTEE
395. MAYOR WILLIAM HEALY: REQ AUTHORIZATION OF RE-APPT OF ANGENITA DANIELS TO FAIR HOUSING COMMISSION FOR 5 YR RETRO TERM FROM 8/31/10 TO 8/30/15. - PERSONNEL COMMITTEE
396. MAYOR WILLIAM HEALY: REQ AUTHORIZATION OF RE-APPT OF SUE ROSS TO CITY'S BOARD OF ZONING APPEALS FOR 3 YR TERM COMMENCING 1/1/11 TO 12/31/13. - PERSONNEL COMMITTEE
397. MAYOR WILLIAM HEALY: REQ PYMT OF MORAL OB IN AMT OF \$140.83 TO PAY INVOICES INCURRED IN AUGUST 2010; REQ PROF SVCS CONTRACT BE AUTHORIZED IN AMT OF \$30,000.00 TO FULFILL PYMT OBLIGATIONS FOR REMAINDER OF 2010 AND 2011 TO BLACK, MCCUSKEY, SOUERS AND ARBAUGH LPA FOR WRKS COMP REPRESENTATION. - FINANCE COMMITTEE

**COMMUNICATIONS CONTINUED:**

398. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED ALLEY VACATION OF 19<sup>TH</sup> ST NW WEST FROM FULTON RD APPROXIMATELY 130' (WARD 7 - JEFF FEDORKO). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
399. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REPLAT OF OUT LOT 576, PART OF LOT 27553 AND LOTS 27551 & 27552 (WARD 6 - STARK COUNTY COMM ACTION AGENCY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
400. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REPLAT OF OUT LOTS 1294 & 1295 ON BELDEN AVE SE (WARD 4 - BRUENNING SHEPLER & ASSOC). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
401. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED ALLEY VACATION OF HAZLETT AVE NW NORTH FROM 7<sup>TH</sup> ST NW APPROXIMATELY 440' TO HISTORICAL SOCIETY PROPERTY (WARD 1 - STARK COUNTY HISTORICAL SOCIETY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
402. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED ZONE CHANGE @ 3751 BURRSHIRE DR NW FROM PB-4 (PLANNED SPECIAL BUSINESS) TO PB-1 (PLANNED OFFICE DISTRICT) (WARD 8 - MERGING HEARTS HOLISTIC CENTER). - JUDICIARY COMMITTEE
403. SAFETY DIRECTOR REAM: REQ PAYMENT OF \$26,404.52 TO MOTOROLA FOR 4<sup>TH</sup> QTR 2010 MAINTENANCE AGMT ON 800MHZ COMMUNICATION EQUIPMENT FOR CITY & COUNTY SAFETY FORCES. - FINANCE COMMITTEE
404. SERVICE DIRECTOR PRICE: NOTIFICATION OF ROBERT TORRES APPOINTMENT TO POSITION OF DIRECTOR OF ECONOMIC DEVELOPMENT. - RECEIVED & FILED
405. SERVICE DIRECTOR PRICE: NOTIFICATION OF FONDA WILLIAMS APPOINTMENT TO POSITION OF DIRECTOR OF COMMUNITY DEVELOPMENT AND PLANNING. - RECEIVED & FILED
406. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 9/30/10. - RECEIVED & FILED
407. TREASURER SCHIRACK: BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF 9/30/10. - RECEIVED & FILED
408. TREASURER SCHIRACK: PARKING METER REVENUE FOR SEPTEMBER 2010. - RECEIVED & FILED
409. TREASURER SCHIRACK: AMBULANCE LOCK BOX ACCOUNT FOR SEPTEMBER 2010. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

- 1<sup>ST</sup> RDG 1. ORDINANCE AMENDING CHAPTER 1130, SIGNS, OF THE CODIFIED ORDINANCES  
Referred to Judiciary Committee **PUB HRG 11/1/10 @ 7:30 P.M.**
- 1<sup>ST</sup> RDG 2. ORDINANCE VACATING A PORTION OF QUEEN CT NW; EMERGENCY  
Referred to Public Safety & Thoroughfares Committee **PUB HRG 11/1/10 @ 7:31 P.M.**
- 1<sup>ST</sup> RDG 3. ORDINANCE AUTHORIZING MAYOR TO FILE W US DEPT OF HOUSING & URBAN DEVELOPMENT A 2011 CONSOLIDATED ACTION PLAN FOR 2011 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; 2011 HOME INVESTMENT PARTNERSHIP PROGRAM AND 2011 EMERGENCY SHELTER GRANT PROGRAM; RATIFYING SUBMISSION & FILING SAID PLAN; AUTHORIZING MAYOR TO EXECUTE GRANT AGMTS W/HUD & ACCEPT FUNDING FOR THE THREE PROGRAMS; EMERGENCY  
Referred to Community and Economic Development Committee
- 1<sup>ST</sup> RDG 4. ORDINANCE AMENDING APPROP O#1/2010, AS AMENDED, BY MAKING \$24,415.00 APPROP TRANSFER FROM 2328 PHEP - PERSONNEL TO 2328 PHEP - OTHER; EMERGENCY (HEALTH DEPT)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. ORDINANCE AUTHORIZING & CONSENTING TO THE REPLACEMENT OF CITY'S WATER MAIN ON SR 17 STRUCTURE OVER THE WHEELING & LAKE ERIE RAILROAD AS PART OF ODOT PROJECT STA.. 172-17.28; AMENDING APPROP O#1/2010; EMERGENCY  
Referred to Finance and Public Safety & Thoroughfares Committees
- 1<sup>ST</sup> RDG 6. RESOLUTION ACCEPTING AMTS & RATES DETERMINED BY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES & CERTIFYING THEM TO THE COUNTY AUDITOR  
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**  
**(SUSPENDED RULE 22A TO ADD O#7 & O#8)**

- 2<sup>ND</sup> RDG 7. **RETAINED IN CMTE 9/27/10** AMEND SECTION 105.07, GRANT & LOAN APPLICANT REQUIREMENTS OF CODIFIED ORDINANCES OF THE CITY OF CANTON (JUD)
- 2<sup>ND</sup> RDG 8. AUTHORIZE SERV DIR TO ACCEPT & EXEC THE 2011 RECYCLING MAKES SENSE GRANT FROM THE STARK-TUSCARAWAS-WAYNE JOINT SOLID WASTE MGMT DIST; EMERGENCY (FIN)

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

- 192/2010 9. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING THE APPROP TRANSFER HEREIN DESCRIBED; EMERGENCY (1001 901001 - TRAVEL \$200.00 - CIVIL SERV.)

**AS AMENDED**

- 193/2010 10. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING SUPP APPROP & APPROP TRANSFERS HEREIN DESCRIBED; EMERGENCY
- 194/2010 11. ESTABLISH FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROP; AUTHORIZE SALE & CONVEYANCE OF SAID PROP PURSUANT TO CITY'S RESIDENTIAL LAND DISPOSITION PROG; EMERGENCY (OLLIE FLOYD - PARCEL #02-13144 ON 3<sup>RD</sup> ST NE)
- 195/2010 12. APPROVE AND ACCEPT THE REPLATTING OF ALL OF OUTLOT 889 AND LOT 34931; EMERGENCY (NEAR SW CORNER OF HARMONT AVE NE & 34<sup>TH</sup> ST NE)
- AS AMENDED**
- 196/2010 13. AUTHORIZE SAF DIR TO ENTER INTO ONE YEAR PROF SERV CONTRACT W/OHIO BILLING, INC. FOR THE BILLING & COLLECTION OF USER FEES FOR EMERGENCY AMBULANCE SERV & PUBLIC SAFETY SERV; EMERGENCY
- 197/2010 14. AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO A CONSTRUCTION CONTRACT FOR THE CONSTRUCTION OF THE BRIDGE IN MARTINDALE PARK; AMEND APPROP O#1/2010; (WEST SIDE PARKS TRAIL & BRIDGE PROJECT GP 1093 \$109,994.00)
- 198/2010 15. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID & DELINQUENT CHARGES FOR WATER &/OR SEWER SERVICES; EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:**

**MONDAY, OCTOBER 25, 2010 in Council Chamber at 6:00 P.M.**

- 1) Finance Committee - 3<sup>rd</sup> Qtr Budget Review

**MONDAY, OCTOBER 25, 2010 in Council Chamber at 6:30 P.M.**

- 2) Community & Economic Development Committee  
 3) Judiciary Committee  
 4) Personnel Committee

**MONDAY, OCTOBER 25, 2010 in Council Chamber at 6:45 P.M.**

- 5) Public Safety & Thoroughfares Committee

**MISCELLANEOUS BUSINESS:** Member Smith appreciates Miss Markland coming in with her heartfelt thoughts and she will be happy to discuss some of the options for Allen School with her after the meeting. Member Hawk has been working with Director Fonda Williams on utilizing the vacant lots in the city and he is happy to volunteer his time and services to help move any of these programs forward. Member West said the Gibbs neighborhood group has been waiting for the cameras for sometime and that the Safety Director should call them and let them know there is a delay. Safety Director Ream said there has been a technical problem with the cameras and said he will talk to the Chief about calling the neighborhood group and letting them know about the delay.

**ADJOURNMENT:** 8:17 P.M.