

**MINUTES OF THE MEETING OCTOBER 29, 2012**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. Before we begin tonight's meeting I think it would be appropriate to send our thoughts and prayers to those on the east coast of the United States who are preparing to respond to an unprecedented storm of unprecedented force and our thoughts and prayers go out to all of our fellow citizens there. We wish them the very best, as I hope, wish ourselves the very best in case it turns and comes our way. With that said and with a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please Madame Clerk.

*ROLL CALL TAKEN BY CLERK TIMBERLAKE:*

11 COUNCIL MEMBERS PRESENT: (DAVID DOUGHERTY, JAMES GRIFFIN, JAMES BABCOCK, MARY CIRELLI, JOE COLE, GREG HAWK, THOMAS WEST, CHRIS SMITH, KEVIN FISHER, JOHN MARIOL, & EDMOND MACK)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER MORRIS ABSENT)

CLERK TIMBERLAKE: Eleven present, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk.

**EXCUSING MEMBERS**

PRESIDENT SCHULMAN: Leader, I'll recognize a motion to excuse Member Morris who is not here this evening because of an illness. We wish him a very speedy recovery. Leader.

MEMBER DOUGHERTY: Yes, Mr. President, I make a motion to excuse Member Morris from tonight's meeting.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Morris from this evening's meeting. Are there any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and Member Morris is excused from this evening's meeting. Tonight we'll have our invocation given tonight by my good friend Council Member of the 7<sup>th</sup> Ward, John Mariol. If you'll please stand and remain standing for our Pledge of Allegiance.

*The regular meeting of Canton City Council was held on October 29, 2012 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Cynthia Timberlake. The invocation was given by Ward 7 Council Member John Mariol. The Pledge of Allegiance led by President Schulman.*

**MINUTES OF THE MEETING OCTOBER 29, 2012****AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: Thank you Member Mariol. Leader.

MEMBER DOUGHERTY: Mr. President I move to suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinances 7 through 10.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2<sup>nd</sup> Reading Ordinances 7 through 10. Any remarks? Hearing none Madame Clerk, roll call vote please.

---

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries. Rule 22A is suspended and the Ordinances are part of your legal agenda.

**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: Turning to Public Hearings. We have no Public Hearings this evening.

**OLD BUSINESS**

PRESIDENT SCHULMAN: We're now under Old Business. I believe that Finance Director DiRuzza has some Old Business. Director.

DIRECTOR DIRUZZA: Thank you Mr. President. At the last Council session Member West asked me to provide some sort of analysis on the Building Code Department and I'm just going to pass these down. And all, we'll go over it in just a moment.

PRESIDENT SCHULMAN: So everyone has that handout in front of them?

DIRECTOR DIRUZZA: OK, basically this handout shows from 2010 to what we're projecting for 2012 as the revenue and expenditures for the Building Code Department. At the top there highlighted it says code inspection fees, that is the line item that is been in question with the increase in those fees with the legislation that was put out. That is a part of the total revenue. That part in 2010 you can see was \$132,000.00. You put legislation in, in early 2011 and those fees increased to \$205,000.00. 2012 we're projected to bring in about \$345,000.00. We're nearly the \$300,000.00 mark with two months left. Total revenue you can see is \$791,000.00 in 2010, \$797,000.00 in 2011 and we're on pace for \$980,000.00 in 2012. With the expenditures you can also see they're \$1,032,000.00, 2010, resulting in a loss in 2010 of \$241,000.00. We had \$952,000.00 in 2011 resulting in a smaller loss, about \$155,000.00 and in 2012 our expenditure projection is about \$984,000.00 which brings us to about the breakeven. So that legislation that was passed in 2011, is pretty much doing exactly what it was intended to do and next year with the economy improving, they may even be in the black. Thank you.

PRESIDENT SCHULMAN: Thank you Director.

**MINUTES OF THE MEETING OCTOBER 29, 2012**

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: Just briefly, the problem sounds a lot better than last week. The 2011 we also talked about a decrease in inspections as a result of the legislation. Is that happening? Has it actually come to fruition?

SAFETY DIRECTOR REAM: Mr. President.

PRESIDENT SCHULMAN: Yes.

SAFETY DIRECTOR REAM: I can speak to that and it's too early to tell to be quite honest. We knew it would spike at the beginning but these numbers are a direct reflection on the job that our CBO, Angela Cavanaugh is doing for the city. This was expected. With Council's assistance, with passing the IPMC and changing the way we do business as you can see, our expenses are going down and our revenues are going up. I couldn't be more proud of the job she's done the last several years in getting the situation into a better business type environment for us and I think we're all benefitting from that and these numbers bear that out. Thank you very much.

PRESIDENT SCHULMAN: Thank you Director.

MEMBER WEST: Thank you Safety Director.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: To Mr. Ream or Mr. DiRuzza on the expenditures for the year 2010, on these expenditures, are the cost of doing business, like the wages are all included in that.

PRESIDENT SCHULMAN: Director.

DIRECTOR DIRUZZA: That's total expenses, labor and professional services and everything.

MEMBER CIRELLI: OK, in 2010 there was also quite a bit of overtime in that department so, you can hardly compare that and that has been stopped.

SAFETY DIRECTOR REAM: Mr. President.

PRESIDENT SCHULMAN: Yes, Director.

SAFETY DIRECTOR REAM: Yes this represents basically their total budget so personnel costs and expenses would be part of that. We're operating with fewer Code Inspectors than what we used previously. That's as you know personnel savings can be significant cost savings when there's a reduction so, this is total expenditures and like I say, we're seeing that come down and revenue go up and that's a very good situation.

**MINUTES OF THE MEETING OCTOBER 29, 2012**

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Director, or I'm sorry, Member Cirelli.

MEMBER CIRELLI: Thank you Mr. Ream but if I'm not mistaken, like I said, as in 2010 we had a duo that did our demo's for us that were in the Code Department and they did that on Saturday's and that was all time and a half and that was what I think, why that figure is higher so it naturally would have been when we cut that all out and changed the policy.

PRESIDENT SCHULMAN: OK. Anything else, Member Cirelli?

MEMBER WEST: I have one more thing Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Just real quick. I also noticed that we got new demo sheets and I believe that Code is actually going through everybody's Ward and I think over the last two years they've been inspecting a lot of boarded up houses and re-boarding up houses and things of that nature that traditionally they didn't do back in 2010 and before that. So now they're boarding, they're going back and seeing all these foreclosed houses and abandoned houses and making sure they get on our demolition list so that's something.

SAFETY DIRECTOR REAM: Yes, Mr. President.

PRESIDENT SCHULMAN: Yes, Director Ream.

DIRECTOR REAM: Our CBO herself, along with some of her personnel, are checking Ward by Ward, street by street, every house, whether it's on the demo list or not and to verify for the ones that are on the demo list and to have additions on that list if we're able to get the land banking money squared away with a grant from the state that came to the county. So, once again, more with less and I think they're delivering a very good service at this point.

PRESIDENT SCHULMAN: Thank you Director. Any other questions Member West?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes Member Cirelli.

MEMBER CIRELLI: That just brought something into my mind. The contract that we have with the American Rescue Workers for the boarding up, is that included in there sir?

PRESIDENT SCHULMAN: Director Ream, if you know.

SAFETY DIRECTOR REAM: That's negative on the boarding up. That comes out of a different department.

MEMBER CIRELLI: That's what I thought. Thank you. So, it's not in there.

**MINUTES OF THE MEETING OCTOBER 29, 2012**

PRESIDENT SCHULMAN: Any other questions? OK, that will conclude then our Old Business. I'm going to take the prerogative of jumping to Informal Resolutions. I know that Captain Jordan has his arms full there and in addition Jeannie Whitted is a 4<sup>th</sup> grade student and she has to go to school tomorrow so we're not going to keep them all night here. So I'd like to start with Informal Resolution 58.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: So I'd like to start with Informal Resolution 58.

#58. COUNCIL AS A WHOLE: RECOGNIZING & COMMENDING 2012 CANTON FIREFIGHTER OF THE YEAR CAPTAIN CARL JORDAN. - ADOPTED

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: I move we adopt Informal Resolution 58.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 58. Any remarks?

MEMBER DOUGHERTY: Could I have that read please Mr. President.

PRESIDENT SCHULMAN: Sure. Madame Clerk.

CLERK TIMBERLAKE: **Whereas**, Captain Carl Jordan, a firefighter for the Canton Fire Department since May 24, 1982 was named the 2012 Canton Firefighter of the Year at the 47<sup>th</sup> annual Fire Prevention Week Kickoff Breakfast held on Tuesday, October 9, 2012 at Skyland Pines; and **Whereas**, Once hired by the City of Canton, Firefighter Jordan quickly became a Paramedic, a certification he still carries to this day. He was promoted to Captain on September 19, 1993. His most recent assignment is House Captain on Third Battalion at Station 7 where he supervises an engine company and a medic unit; and **Whereas**, On March 11, 2012 the Canton Fire Department responded to a report of a house fire on 4<sup>th</sup> Street NW. Engine 7 was the first one to arrive. Once the main body of the fire was knocked down, Captain Jordan entered the house on an interior attack line with SCBA in place on his back. Inside he found the first victim in a second floor bedroom and brought her outside to awaiting medics. He then re-entered the house to search for another woman reported missing. Captain Jordan found her on the floor beneath a window. Along with other members of the Canton Fire Department she was brought to the front yard where CPR was started. Thanks to Captain Jordan and fellow firefighters, both women survived and are home with their family doing well; and **Now, Therefore, Be It Resolved:** that we, Members of City Council of Canton, Ohio go on record recognizing and commending **2012 Canton Firefighter of the Year Captain Carl Jordan** for his courageous actions in the line of duty. Congratulations and thank you for your hard work and dedication to the citizens of Canton. (*STANDING OVATION*)

PRESIDENT SCHULMAN: Now Captain, before you come up, we better pass the Resolution. All those in favor signify by saying aye. Those opposed no.

**MINUTES OF THE MEETING OCTOBER 29, 2012**

NO REMARKS

RESOLUTION #58 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries. Leader Dougherty. And if you want, if the family wants to come up and take photographers, you're more than welcome to come up and you're very welcome.

MEMBER DOUGHERTY: She was reading this off and I just realized I've know you for 30 years. We both started our careers the same year in 1982 and I got to see you over the years a lot because you worked in the Fire Department and me at the hospital and you know one thing that you find out real quick, firemen are tough guys. Very dedicated. They risk their lives for you. You can't put a price tag on that. So it's, and you always have a good attitude. You just always had a good attitude, anytime I talked to you or anything, like how in this job can you have such a good attitude all the time but that's just you know, and his men are like him. His men, I know that for a fact and you can be very proud and on behalf of Canton City Council, it's a pleasure, honor to be able to present this tonight. Thank you. *(APPLAUSE)*

CAPTAIN CARL JORDAN: First of all, I would like to say thank you to City Council and thank you Beverly, wherever you are for putting up with me for all these number of years. I would also like to say on behalf of my crew, that a Captain is only as good as those people he leads and those people made it possible for me to be here with you today in acceptance of this award. I would tell you again that there is no greater pleasure than to serve the City of Canton in the capacity that we do and that we'll continue to do so with the utmost effort and concern for the citizens in the performance of out duty. Thank you very much. *(APPLAUSE)*

MAYOR HEALY: Mr. President. Mr. President.

PRESIDENT SCHULMAN: Yes, Mayor.

MAYOR HEALY: Before you step away Carl, I want to make a comment too. We had a breakfast, a county breakfast and I gave him a the Mayor's Proclamation at that dinner, or breakfast but I wanted to share with you something that I think is, for me personally, that means quite a bit. We give out the Fireman of the Year Award every year and in my own personal opinion as Mayor for the past 5 years and certainly a citizen of Canton for most of my life, Carl Jordan is the fireman of a lifetime in my eyes. And I'll share with you that during the flood that we had about 6, 7 years ago, on, by Nimisilla Park and that area, my grandmother had a home at the end of 9<sup>th</sup> Street, right up next to the creek so her house was one of the ones that got the water first and it rose up to the first floor and beyond and my grandmother was in her late 80's, was bedridden and couldn't walk and we had home care for her and it was probably the middle of the night when they realized that the waters were coming in and you couldn't get cars down that road anymore and Carl Jordan led his team to my grandmother's house, knocked on the door and put her in a boat and rowed her to safety. So he personally saved my grandmother's life and I can't tell you how much that means to me and how I will always remember that and so this is a very, very special time for me to have you recognized as well so, congratulations and thank you for everything.

CAPTAIN CARL JORDAN: Thank you. *(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you again Captain for your public service. We appreciate it and of course, behind every great man, there's always a woman. *(APPLAUSE)* Now we'll move to Informal Resolution 59 please.

#59. COUNCIL AS A WHOLE: COMMENDING & CONGRATULATING JEANNIE WHITTED FOR

MINUTES OF THE MEETING OCTOBER 29, 2012

BEING CANTON CITY SCHOOL'S 2012 FOURTH GRADE ESSAY CONTEST WINNER FOR THE FIRE PREVENTION WEEK BREAKFAST. - ADOPTED

MEMBER DOUGHERTY: Mr. President, I move we adopt Informal Resolution 59.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 59. Are there any remarks?

MEMBER DOUGHERTY: Could I please have that read Mr. President?

PRESIDENT SCHULMAN: Sure, Madame Clerk.

CLERK TIMBERLAKE: **Whereas**, Jeannie Whitted, a 10 year old fourth grader at Harter Elementary School was Canton's fourth grade essay winner at the 47<sup>th</sup> annual Fire Prevention Week Kickoff Breakfast held on Tuesday, October 9, 2012 at Skyland Pines; and **Whereas**, All fourth graders from Canton City and Massillon City Schools were offered the challenge of writing an essay regarding "Having Two Ways Out", a theme selected by the State Fire Marshall; and **Whereas**, Jeannie expressed in her essay how important it is to discuss safety measures with your family and have a plan of action for when a fire occurs; and **Whereas**, Jeannie's knowledge of the importance of fire safety shined through in her essay and that's why she was chosen as Canton's fourth grade essay winner. **Now, Therefore Be It Resolved;** That we, Members of Canton City Council, do hereby go on public record commending and congratulating **Jeannie Whitted** for being Canton City School's 2012 fourth grade essay contest winner for the Fire Prevention Week Breakfast. (*APPLAUSE*)

PRESIDENT SCHULMAN: Jeannie before you come up, all those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #59 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries. Member Griffin. (*APPLAUSE*)

MEMBER GRIFFIN: Jeannie congratulations on your award. A lot of hard work and a lot of effort from your family and that so, on behalf of Canton City Council I'd like to congratulate you and present you with this Resolution for the essay. Congratulations. (*APPLAUSE*)

JEANNIE WHITTED: Well I'd like to thank my brother Eric because he helped me. (*APPLAUSE*)

PRESIDENT SCHULMAN: Thank you Jeannie. (*APPLAUSE*) Thank you Jeannie. Congratulations to you and your family. I'm sure they're extraordinarily proud of you as are we all. Our next Resolution is Informal Resolution 60 and by the way, the recipients of these awards do not have to stick around if they do not want to. So you're not going, you're not going to be disrespectful if you want to get up and go home. We thank you again for your service and congratulations again Jeannie. Madame Clerk, Informal Resolution 60.

#60. COUNCIL AS A WHOLE: COMMITTING TO STARK COUNTY LAND REVITALIZATION DEMOLITION FUNDING. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

**MINUTES OF THE MEETING OCTOBER 29, 2012**

MEMBER DOUGHERTY: Mr. President, I move we adopt Resolution 60 please.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 60. Any remarks on this Resolution? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #60 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries and Informal Resolution 60 is adopted.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: Now we'll turn back to Public Speaks. We have five speakers this evening. Our first speaker is Kathleen Tatarsky. Miss Tatarsky if you'll step forward and gives us your name and your residential address and as always, welcome to Canton City Council.

KATHLEEN TATARSKY: Thank you Mr. President. Good evening Council Members. My name is Kathleen Tatarsky and I live at 2221 Mt. Vernon Blvd. NW. I also own another home on Mt. Vernon where my daughter lives and it's used as a rental. As most of you know, Mt. Vernon Blvd. is one of the nicest streets in this city with the boulevard down the middle with trees, etc. I knew that a Dunkin Donuts shop was going on the corner of Cleveland Avenue and Mt. Vernon Blvd. Didn't have a problem because a donut shop is certainly better than the sex shop that was there before. But recently I noticed some stakes with orange banners in the boulevard right in front of the first home in that residential neighborhood. I called Darla in Zoning and learned that the donut shop received permission to excavate the boulevard and put in a drive thru, through the treed boulevard for it's donut customers. While I like donuts as much as the rest, I wondered why the city would give a donut shop permission to put concrete through a beautiful part of that street. I learned that it was approved by the Park Department that apparently has the rights to that boulevard and City Engineering. Well I have the utmost respect for both of those entities, I'm not sure that they thought of everything especially that boulevard. I understand that it was approved because of traffic concerns on Cleveland Avenue but do we really need a concrete drive thru in the middle of that beautiful boulevard at a time when were trying to contact homeowners and talk to them about moving into the city of Canton instead of Jackson Township,. Plain Township, certainly there must have been other options. After talking to some of you, I know that nothing came through Ordinance or through City Council and I understand from Mr. Price's email that, that project is now on hold so that more information can be discussed on it. And I also understand that the Homeowners Association was contacted and didn't not approve of it but I wonder if they really thought of what they doing when they were ruining one of the most beautiful streets in the city of Canton. So I wish tonight that you will explore that project and perhaps there is an alternative to putting a 65' cut through in the middle of that boulevard. I've passed out some of the site plan reviews that I've received as a result of a public records request and I hope that most of you got that. Thank you.

PRESIDENT SCHULMAN: Thank you very much Miss Tatarsky. (*APPLAUSE*) Our next speaker is Richard Drake. Mr. Drake good evening. As always, welcome to Canton City Council. If you'll give us your name and your residential address please.

RICHARD DRAKE: Good evening everyone. My name is Richard Drake. I'm an ISA Certified Arborist. I live at 3020 Sycamore Avenue SE, Canton Township. I'm here today to talk about our trees and vegetation

**MINUTES OF THE MEETING OCTOBER 29, 2012**

and I've done the city parks and trees for years now and all out on occasion to check on everything. What alarms me here is I want to bring everyone up to speed on Nimisilla Park. It's one of our oldest and a like a drill of the city, it has all our oldest trees and they're very, very viable as far as cost and trying to replace them. Well we have a pest problem down there. It's a gypsy moth infestation and the reason why it's so bad, we had this drought this last year and without a natural spring with water to bring a fungus that keeps them under control. Well they have exploded in population. In other words, there's egg masses everywhere all over this park and whenever they hatch out at bud break this spring, we're in a serious problem because those trees are gonna die and I'm gonna read to you what happens. "What will gypsy moth do to my trees? Gypsy moth caterpillars have the potential to eat large number of leaves and therefore a logical question to ask is what effect will it have on the tree. Gypsy moth caterpillars begin feeding on leaves immediately after bud break in mid to late spring. Feeding by caterpillars interrupts the natural growth of trees and nutrient cycling. Many trees respond to extreme defoliation by producing new leaves during the same growing season. These new leaves are smaller in size and number and are lighter in color than the original leaves that were consumed earlier. The reduction of energy reserves during re-foliation can result in the death of buds, twigs, branches and entire trees. Most trees, even those that are healthy, may die if they undergo the defoliation process for two or more consecutive years. The stress and weaken condition of defoliated trees often makes them more susceptible to attack by diseases especially the shoestring fungus another insect, a beetle called the two lined chestnut boor. These organisms are often involved in the death of trees on gypsy moth outbreaks. The shoestring fungus lives in the soil and attacks the roots of stressed trees, those that have been defoliated and then rapidly prevents these infected trees from retaining nutrients. Larvae in mature stage of the chestnut boor feed through feed through the bark to the under parts of the tree. As they feed they make extensive tunnels and weaken the tree. Does the gypsy moth kill trees? Tree death is usually caused by the cumulative effect of several different stresses. Defoliation and re-foliation together with infestation of other organism is too much for many trees to withstand. Another significant stress is drought. Trees that grow in dry areas and are defoliated by the gypsy moth or other insects are more likely to die after one defoliation episode than those trees that are well watered and fertilized." So what I'm say to you is, these trees are already stressed. They're old growth trees. They're not going to be able to withstand the gypsy moths eating the leaves off of them before they get their energy sources so we need to have them sprayed again by the state and I have notified several key people, ones in the Park Department who's retiring and the Engineering that if something's not done, you're going to loss these trees. Then somebody be having, happy having a ballfield but I don't think a lot of citizens want that. We've got to save these trees and I have the right connections to the Ohio Department of Natural Resources that if nothing comes to pare but we got to get this set up.

PRESIDENT SCHULMAN: OK, thank you very much Mr. Drake.

RICHARD DRAKE: Thank you.

PRESIDENT SCHULMAN: Thank you sir very much. (APPLAUSE) Our next speaker is Pete DiGiacomo. Mr. DiGiacomo good evening. Welcome as always to Canton City Council. If you'll give us your name and your residential address.

PETE DIGIACOMO: Good evening. My name is Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. I wanted to speak about something very lighthearted, nothing really serious, nothing like that. Friday evening, my wife and myself, we were invited to a 60<sup>th</sup> birthday of Council Lady person, Chris Smith. Not expecting, I just figured a birthday party, I don't know just what, 15, 20, 25 people. We pulled up to the Coleman Center, we could not find a parking place. I'm like, this might not be the right place. Anyhow, as

**MINUTES OF THE MEETING OCTOBER 29, 2012**

we walked in, there had to be 200 at least and as we walked in like, well where do we sit, I don't know, we're fumbling around, Chris Smith called to Mr. Zachary and he's not here tonight, so anyhow, they sat us down, had a very good time, enjoyed ourselves, was taken care of very nicely and everything. A few folks from Council, I recognized the faces were there. Probably you all left too soon. We were there till after midnight, before we new it, it was midnight and had a little too much wine to drink, my wife drove me home. Short version of the story was, Gladys Knight and the Pips were up there performing. I listened to Midnight Train to Georgia and said dang, that's good. I did not, you know you see, and I'm sure if you don't see the Council people out in public, or being themselves, big, big difference, night and day. I was disappointed though Chris cause I was hoping, and I know Proud Mary's coming. No didn't hear it. But anyhow I just wanted to say thank you very much from my wife and myself for having a very good evening, enjoyed it like I said. Should have stayed later, should have stayed later. Thank you. (*APPLAUSE*)

PRESIDENT SCHULMAN: Thank you Mr. DiGiacomo. It's hard to believe. She doesn't look a day over 25, that's all I can tell you.

MEMBER SMITH: Right.

PRESIDENT SCHULMAN: Our next speaker is Daniel Quinlan. Mr. Quinlan good evening if you'll step forward and give us your name and your residential address please and welcome to Canton City Council.

DANIEL QUINLAN: Thank you President Schulman, Council Members, your Honor. My name is Dan Quinlan. I live at 1701 Frazer Avenue NW. I am a licensed real estate broker and I open a newly formed company named Red Rock Real Estate proudly officed in downtown Canton. I work primarily with investors finding rental properties and am a member of the Stark County Real Estate Investors Association. To attest to my experience in this matter regarding the fees for the landlords besides a lot of sales, I had the experience of writing almost 480 leases in the last 2 ½ years inside and outside the city limits of Canton. I'm speaking tonight to present an alternate view of the proposed fee increase for non-owner occupied properties in the city. The problem is many of the physical structures inside the city limits are old, older than the townships, the physical structures, 75 to over a hundred years old. In less they are located in an upscale street, most are not considered prime for owner-occupied purchase. A qualified home buyer today has many choices. In the townships that contain newer structures in which to invest in. The building age and the quality of the school systems will largely dictate their choice. With today's tighter qualifications for home loans, they're going to be less owner-occupied buyers. Less buyers means the city will suffer the vacancy before the township will. I submit to you that this vacancy is your worst case scenario for the finances of the city. It represents an erosion of the taxpayer base, an erosion of thankful voters on which you politicians can get re-elected. It represents an erosion of the neighborhood property values, again after re-appraisals less money to the schools. It's a magnet for copper thieves an arsonists putting the lives of our safety personnel and firefighters at risk and worst of all, they're a monument, a silent monument that becomes a cause for more homes on the street in which to go vacant. If the national economy and the local job market are limiting the number of qualified interested buyers for city residential homes, then there's only one other group that can help stop the city vacancies and that is your professional housing provider. Not the, not the slum lord, there's a big difference between those two groups. Your tax increase does not differentiate however, between those two groups and your effort to raise money and possibly punish the non-responsible slum lord, you will chase off your only long term solution to the city revitalization. Take a different look at the issue. View your city as a company that you're operating as directors with customers and ongoing enterprise. Your product is the safety of the citizens. You maintain, by maintaining the long term value of the neighborhoods as well as your product. You use Code and Law

**MINUTES OF THE MEETING OCTOBER 29, 2012**

Enforcement with many trained staff in the city and provide the various services and utilities. You then collect taxes and fees and that is the income from the sale. General business marketing principles would dictate to first identify who your customer is, then make more of them. Make them happy. Make them come back. Your target customer, I will assert, is a resident who is employed, pays taxes and votes. It would be ideal if you could get that person to be a homeowner as well, but that's not going to happen in this market therefore the only possible outcome to this problem of the vacancy is you get a target customer in it or you bulldoze it and I notice from the meetings that I've been attending, you spend an awful lot of time talking about bulldozer matching funds.

PRESIDENT SCHULMAN: OK, we'll have to ask you to wrap up though.

DANIEL QUINLAN: Done in just a second. The income from the fees are peanuts compared to the loss of the taxpayer base if this house goes vacant. The greater the taxpayer base the city funding issues melt away. I submit that you have a much bigger decision to make here than just this fee issue. You actually have an opportunity now to learn more about how you can partner with the one group that help you out of this problem. We are your customers. These people out here that are investors....

PRESIDENT SCHULMAN: OK, that's, that's about all I can allow you to do. I've given you pretty wide latitude....

DANIEL QUINLAN: Thank you.

PRESIDENT SCHULMAN: Thank you very much sir. Our next speaker is Don DeVille. Mr. DeVille good evening. If you'll step forward and give us your name and your residential address please.

DON DEVILLE: Don't start the clock yet. I just have a little handout. My name is Donald DeVille. A resident of Jackson Township, Stark County, Ohio. I want to pose to you questions that I don't think have been answered. Those questions start out as such; what is the total number of rental units, housing units in the city of Canton? Of that total, how many are single family? Of the single family total, how many are considered to be in a state of blight? Of the total, how many are multi-family, three units or more? Of the multi-family total, how many are considered to be in a state of blight? What is the budget for Code Compliance? And that is not to be misconstrued with the Building Department budget. What is the annual property tax revenue generated from the overall rental housing units in the city of Canton? What is the overall income tax revenue that is generated by those individuals that are living in those rental housing units? What is the portion of property tax revenue, what portion of the property tax revenue stipulated to Code Compliance budget? How many employees does Code Compliance sustain? How many other Stark County communities, municipalities, townships or whatever have any department that monitors charge services as you have proposed in this legislation? The answer to that one is none, by the way. Proportionately in terms of blight, do other municipalities have more or less blight proportionate to what's in Canton? What is the net loss or gain in population in the city of Canton in the past five years? If a net loss, has that population moved to surrounding municipalities? What is the net gain or loss in jobs in the city of Canton in the past five years? If a net loss, again have those jobs moved to surrounding municipalities? Does the Building Department inspect or does not the Building Department inspect and approve all single family and multi-family housing when constructed? What is then, what is it then that you are attempting to re-register, re-inspect housing that has already been registered and inspected and approved? Does commercial or industrial property come under the same ownerus legislation that has been posed? Is the proposed legislation not taxation without

**MINUTES OF THE MEETING OCTOBER 29, 2012**

representation? It has been stated that the excess revenue projected from this legislation is to go into the General Fund for other city of Canton services. Should not each department stand on it's own just like any other business entrepreneur would have to require of his or her business. Does anyone in favor of this legislation understand you are unequivocally driving property owners out of business out of the city of Canton because of this proposed legislation. Why is Stark County Metropolitan Housing Authority....

PRESIDENT SCHULMAN: Mr. DeVille you have about 8 seconds so I can't permit you to go over.

DON DEVILLE: You permitted other ones to go over so I'll...and you just took up five seconds of my time. Why is Stark County Metropolitan Housing Authority exempted from this? And I will let you read the rest of this since my time has been cut short but, however, let me finish with a statement. If any of these many questions have not been posed by or answered by those recommending this legislation, I think those individuals are, were ill advised for sending this legislation and should be very honestly admonished before, because of it's submittal. If you understand the questions and the answer to the questions that I do, you would not impose this type of legislation.

PRESIDENT SCHULMAN: Thank you very much.

DON DEVILLE: Thank you for your time. (*APPLAUSE*) One last suggestion I would recommend, I encourage anyone to call me, any Council Member to call me relative to this issue.

PRESIDENT SCHULMAN: And I think we'll do that. Thank you very much gentlemen, both of you for addressing this issue. We appreciate it.

**COMMUNICATIONS**

PRESIDENT SCHULMAN: We're now under Communications. Let the Communications show, the journal show that all Communications are received as read.

***NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED OCTOBER 29, 2012.***

384. COURT ADMINISTRATOR KOCHERA: REQ \$15,000.00 SUPP APPROP FROM UNAPPROP BAL #2767-701001 COMMUNITY SANCTIONS GRANT FUND TO #2767-701001 COMMUNITY SANCTIONS GRANT FUND PERSONNEL FOR CONTINUED PROPER OPERATION OF COURT. - FINANCE COMMITTEE
385. DEPARTMENT OF COMMERCE: ADVISING THAT HRG FOR LIQ PERMIT TRANSFER OF OWNERSHIP APPLICATION FOR DG HOLDING & MANAGEMENT CO INC DBA THE SPOT HAS BEEN CONTINUED & WILL BE NOTIFIED WHEN RESCHEDULED. - RECEIVED & FILED
386. HAWK, G, WARD 1 CNCLMBR: REQ FORMAL RESOLUTION AUTHORIZING & DIRECTING SERV DIR TO MAKE APP W/STARK COUNTY LAND BANK CORP FOR PURPOSE OF ENTERING INTO GRANT AGMT W/THE LAND BANK TO PARTICIPATE IN LAND BANK'S

**MINUTES OF THE MEETING OCTOBER 29, 2012**

DEMO GRANT PROG. - RECEIVED &amp; FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: Turning now to First Reading Ordinances and Formal Resolutions for the First Reading. Let the journal show that all Ordinances are being given their Reading as required by State law. Madame Clerk would you please read the First Reading Ordinances by title.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CONTINUATION OF THE HOUSING REHABILITATION PROGRAM UTILIZING HOME FUNDS IN A TOTAL AMOUNT NOT TO EXCEED \$474,000.00; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACTS WITH LOW AND MODERATE INCOME APPLICANTS WHO APPLY FOR REHAB ASSISTANCE AND MEET THE STRICT REQUIREMENTS OF THE HOME PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO VARIOUS CONTRACTS FOR THE CDBG AND HOME PROGRAMS AND PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO FILE WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) A 2013 ANNUAL CONSOLIDATED ACTION PLAN FOR THE 2013 COMMUNITY DEVELOPMENT BLOCK GRANT, 2013 HOME INVESTMENT PARTNERSHIP, AND 2013 EMERGENCY SHELTER GRANT PROGRAMS; RATIFYING SUBMISSION AND FILING OF SAID PLAN; AUTHORIZING THE MAYOR TO EXECUTE GRANT AGREEMENTS WITH HUD AND TO ACCEPT FUNDING FOR THE THREE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING CHAPTER 105, CONTRACTS, OF THE CODIFIED ORDINANCES  
Referred to Judiciary Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING SUBSECTIONS (f) (1), (2) AND (3) OF SECTION 975.08, RATES; RESPONSIBILITY OF PUBLIC SERVICE DIRECTOR, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON  
Referred to Judiciary Committee
- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OR PUBLIC

**MINUTES OF THE MEETING OCTOBER 29, 2012**

SERVICE TO ENTER INTO AN ENGINEERING CONSULTANT CONTRACT WITH URS, CORPORATION FOR THE 11<sup>TH</sup> STREET SE, INTERSECTION AND ROADWAY IMPROVEMENT PROJECT, PID 90465, GP 1144; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4568 11<sup>TH</sup> STREET SE INTERSECTION AND ROADWAY IMPROVEMENT PROJECT, GP 1144 FUND; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO COOPERATIVE AGREEMENTS WITH OTHER PROJECT STAKEHOLDERS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: And now we turn to Ordinances and Formal Resolutions for the Second Reading. Madame Clerk would you please begin with Ordinance #7.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #7 THROUGH #10 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #7. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO MAKE APPLICATION AND RECEIVE MONIES FROM CLEAN OHIO ASSISTANCE FUND FOR THE ASSESSMENT OF PROPERTY KNOWN AS THE JEFFERIES FORMER REPUBLIC STEEL MILL PROJECT AND TO ENTER INTO CONTRACTS AND/OR AGREEMENTS FOR ANY NECESSARY ARRANGEMENTS ASSOCIATED WITH THE ASSESSMENT WORK; AND DECLARING THE SAME TO BE AN EMERGENCY
- #8. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$424,519.00 FROM UNAPPROP BAL 1001 GENERAL FUND TO FIRE ADMIN - OTHER \$45,000.00, CENTRAL COM ADMIN - PERSONNEL \$250,000.00, CENTRAL COM ADMIN - OTHER \$89,019.00, GEN GOVT SUPPORT ADMIN - OTHER \$35,000.00, CIV SERV ADMIN - OTHER \$5,500.00)
- #9. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MANAGEMENT SERVICES CONTRACT WITH THE CANTON CITY HEALTH DISTRICT BOARD OF HEALTH TO PROVIDE MANAGEMENT OVERSIGHT OF THE CANTON CITY SANITATION DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$60,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
- #10. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH HRM ENTERPRISES, INC. TO SELL CANTON CITY WATER TO BUSINESSES OWNED BY HRM; AND DECLARING THE SAME TO BE AN EMERGENCY

**MINUTES OF THE MEETING OCTOBER 29, 2012****ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Now we turn to Ordinances and Formal Resolutions for their Third and Final Reading and vote. Would you please begin with Ordinance 11.

#11. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 179/2012** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (\$154,054.00 FROM UNAPPROP BAL OF 2331 APC FUND TO 2331 APC FUNDS - OTHER - HEALTH DEPT)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Ordinance 11.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 11. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#11 ADOPTED AS ORDINANCE NO. 179/2012**

PRESIDENT SCHULMAN: Ordinance #11 is adopted. Ordinance #12 please.

#12. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 180/2012** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (\$53,000.00 FROM UNAPPROP BAL OF 1105 POLICE SETTLEMENT FUND TO 1105 753001 LAW DEPT - OTHER)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Ordinance 12.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 12. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**MINUTES OF THE MEETING OCTOBER 29, 2012**

**#12 ADOPTED AS ORDINANCE NO. 180/2012**

PRESIDENT SCHULMAN: Ordinance 12 is adopted. Ordinance 13 please.

#13. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 181/2012** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (\$15,096.00 TRANSFER FROM 4502 103501 CENTRAL COMM - OTHER TO 4502 103001 FIRE ADMIN)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Ordinance 13.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 13. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#13 ADOPTED AS ORDINANCE NO. 181/2012**

PRESIDENT SCHULMAN: Ordinance #13 is adopted. Ordinance #14 please.

#14. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 182/2012** AN ORDINANCE AMENDING CHAPTER 955, WATER, OF THE CODIFIED ORDINANCES (WATER COMMISSION)

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Ordinance 14.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 14. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#14 ADOPTED AS ORDINANCE NO. 182/2012**

**MINUTES OF THE MEETING OCTOBER 29, 2012**

PRESIDENT SCHULMAN: Ordinance 14 is adopted. Ordinance 15 please.

#15. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 183/2012** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT MODIFICATION #2 WITH ME COMPANIES IN AN AMOUNT NOT TO EXCEED \$686,323.00 TO COMPLETE THE BALANCE OF THE DETAILED DESIGN, ENVIRONMENTAL DOCUMENTATION AND RIGHT-OF-WAY WORK FOR THE 12<sup>TH</sup> STREET N. CORRIDOR PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (\$39,536.56 FROM UNAPPROP BAL OF 4563 12<sup>TH</sup> ST CORRIDOR PROJ GP 1098 TO 4563 202077 12<sup>TH</sup> ST CORRIDOR PROJ GP 1098 - OTHER)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Ordinance 15.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 15. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#15 ADOPTED AS ORDINANCE NO. 183/2012**

---

PRESIDENT SCHULMAN: Ordinance 15 is adopted. Ordinance 16 please.

#16. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 184/2012** RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 16.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 16. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

**MINUTES OF THE MEETING OCTOBER 29, 2012**

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#16 ADOPTED AS ORDINANCE NO. 184/2012**

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance 16 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: Now we turn to Announcement of Committee meetings.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: Community and Economic Development Committee, I think we meet at 6:45 on November the 5<sup>th</sup>.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Great, thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Judiciary will meet the same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet that night.

PRESIDENT SCHULMAN: Thank you. Any other Committee Announcements?

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: Turning now to Miscellaneous Business, is there any?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Real quickly on the Mount Vernon situation, I did just want to advise the rest of Council who'd not been maybe copied on that email, and especially the Ward Councilman, I did because I believe I have the statutory authority to over right-of-way, I did stop work on anything progressing any further on that and all I can promise is we're certainly going to look into it. I'll look at the site plan that has been obtained and certainly communicate with law to see what I can do from this point moving forward and I suspect that we'll try to work out

**MINUTES OF THE MEETING OCTOBER 29, 2012**

some solution that's better than you know, what we've got right now. Secondly, just touching on the weather event that's expected this evening. City officials and it was really the Department of Public Service has been in contact with Stark EMA, American Electric Power and the National Weather Service throughout the day. We expect the, as you've probably seen the forecast yourselves, the climax of the event is expected to occur between 2 and 4 in the morning with wind speeds gusting up to 50 to 60 mph, although possibility, the remote possibility but a possibility nonetheless that they could exceed that. Sustained winds will probably be around 30, 35 mph. When I was outside just before this meeting, I mean the wind is picking up. If the Stark Emergency Management Agency activates their Emergency Operation Center, we will have a representative there. We did have a Department Head meeting this afternoon about 3:30 once we'd assembled all the information. We are ready to assist the Stark Red Cross and EMA if there's a need for shelter facility and so we have a number of facilities available for that purpose. We also have all Department Heads on a heightened state of alert as well as all of our employees and we have people ready on call in mass if the, if particularly the winds are more than we expect. We don't really expect you know, overwhelming damage to the city or a real serious problem this evening but we are ready for that and will be, have people up and about making sure that we're responding as we need to respond. In terms of power, we almost expect as a certainty that we'll have isolated you know, localized wind related outages. The only additional potential would be that given you have such a massive storm sitting on the eastern seaboard, we're advised by Stark EMA that while there is a very low risk, it's very low, there is somewhat increased risk however unlikely, that as a result of either the problems on the grid as a result of wind damage and or shutdown of reactors on the eastern seaboard because of what's happening, not here but to the east that there's some additional potential for larger scale grid wide outages and we'll also be, you know, in constant contact with EMA if, as soon as an outage occurs and as well as AEP and if those outages look that they're going to extend beyond a few hours or even 24 hours, we'll certainly be looking at assisting and setting up shelters. We don't run the shelters but it's, for those of you that were around for the ice storm, we do offer up our facilities and whatever assistance we can offer to the public. Thank you.

PRESIDENT SCHULMAN: Thank you Director.

MEMBER WEST: Mr. President

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yes, Service Director in reference to the emergency system, I believe we're also supposed to get a floods, flash floods right?

SERVICE DIRECTOR: Yea, there's, we're expected to receive between 1 ½ and 2.75 inches of rain over the next 48 hours. That is not a particularly significant event for us. What they're a little more concerns about is not, we will experience probably some minor flash flooding in our traditional flooding areas and we'll be on the lookout for that. Collection Systems is on alert and ready to clear out storm sewers, which is a segway into the other problem which were concerned about as well, and that is because of the seasonal leaf fall and all the debris and leaves that we have in yards and on the streets, we're concerned particularly about storm sewers clogging up and causing floodings in area that, in areas that we may not traditionally see flooding. And so we're going to be on the lookout for that. If this really is, is blowing like crazy from 2 to 4 am, Sanitation comes in and will be out and about at about 6 in the morning so we've even coordinated with the Sanitation Department, we've asked them since they cover almost the entire city tomorrow morning like first thing before morning rush hour, in addition to everybody else that we'll have out, we'll have them as our eyes and ears and try to address any localized flooding as a result of blocked storm sewers you know on a case per case basis and we will be proactively looking for these.

MEMBER WEST: I was just concerned about Nimisilla Creek cause that seems to be always an issue of flooding.

**MINUTES OF THE MEETING OCTOBER 29, 2012**

SERVICE DIRECTOR PRICE: We are too and any of you who have any issues throughout the evening, you're welcome to call me personally, I just go ahead and do it, it's on my card anyway, 330-417-9604 is my cell number, but you're also welcome to, you know call the Department Heads directly, but if you can't get a hold of somebody and you have a problem, I'll probably be kinda up anyway so call me.

PRESIDENT SCHULMAN: Thank you Director. Any other questions for Director Price?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: This is on a different issue but thank you Safety Director Price, you're Service Director, excuse me, Price. Sounds like you've jumped right on board. I know when I called earlier, I knew that's what you were up to and I appreciate that. Did you by chance remember about the salt issue that I asked you about? Thank you sir.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Councilwoman Cirelli asked me about the salt contract pointing out that the city of Canton is paying based on a news article she read, significantly more than the city of North Canton. That is true. The city of Canton has for literally decades, has bid out it's own salt and I've looked at the history of Canton doing that and we have saved money versus the ODOT salt contract or basically broke even with the ODOT contract every year we've done it. ODOT for instance, let me explain. Other communities participate in ODOT Centralized Salt Purchasing Contract. North Canton is one of those communities. Stark County, the city of Massillon, the city of Canton, we have never participated in that ODOT contract. Last year the city of Canton paid approximately \$48.00 a ton for salt meanwhile, the city of Canton and every other community in our area that participated in the ODOT contract paid about \$7.00 more a ton for salt. This year ODOT bid the contract differently. They used to bid it for each county. Governor Kasich I guess, implemented a bidding program, an experiment where they bid as an alternative instead of by county, by ODOT region. So they're bidding by region as an alternative. Those bids came in significantly lower. My understanding is that those bids came in significantly lower because of the significant increase last year and as part of, number 1 the alternative method of bidding but, number 2 as compensation to those communities that paid a lot more for salt than communities that bid it out on their own last year, that those bids came in particularly low. What I will also tell you is that, there is significant risk financially to participating in the ODOT contract. ODOT requires, first of all that cities commit to participating in the ODOT program before pricing is announced in May of each year. That pricing is a complete unknown and you must sign by contract and we would have had by legislation, to have authorized the Service Director to enter into a contract with ODOT for a price unknown to participate in their program. The second significant risk to participating in ODOT program is that we also have to commit to a certain number of tons of salt and usually we use, I mean if there is an average year, we use about, I think 15,000 tons. We would have to commit regardless of our use, to 80% of that number and that would actually have to be delivered to us. There's no way out of that. This year it happened to work out for the better. What we're going to do next year is look more closely at that but my expectation is that as good a deal as ODOT was able to get this year, next year they probably won't get such a good deal and so right now we probably think that the status quo is better. We are in contact with our provider to see if there's any arrangement they can make with us on pricing given that they're the same provider for this region of ODOT and somehow ODOT got it for about \$10.00 a ton cheaper. So, that's what I can tell you about that.

PRESIDENT SCHULMAN: Thank you, Member Cirelli.

**MINUTES OF THE MEETING OCTOBER 29, 2012**

MEMBER CIRELLI: Mr. President I wanted to thank Mr. Price and I know, you know, he didn't have a chance to return my call on that and you could have saved that, but his way everybody else knows what's happening with it. Thank you very much sir for the explanation.

PRESIDENT SCHULMAN: Great. Member West.

MEMBER WEST: Mr. President, one more thing. Service Director tonight you talked a lot about Sanitation and our new system. My question is, are we working on a project where people are illegally dumping on our lots and in our community and being able to address that issue with the new plan of Sanitation.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Yes, the Health Department enforces those illegal dumping regulations especially as they do to trash and I think having the enforcement arm and the collection arm under the same umbrella will enhance our ability to not only cite these people but also get rid of the trash quickly which should please everybody.

MEMBER WEST: OK, thank you.

PRESIDENT SCHULMAN: Thank you Director. Mayor.

MAYOR HEALY: Thank you Mr. President. I'd just like to, to reference something going on in our community. We've had Superintendent of Canton City Schools that came on board less than a year ago and since he's been on board we've had a great relationship and have done a number of collaborations and partnerships with Canton City Schools and very, very excited about the path that we're taking but about a week ago today, the Superintendent found out that he has leukemia and he's in the hospital doing treatment with high expectations but, he will be out of service for many months from what I understand at best case scenario. And I just thought I, we should put him in our prayers and if you get a chance, send him a card or something but I wanted to make sure everybody was aware that we wish him the best and certainly are, are hoping for a very speedy recovery and outcome for him.

PRESIDENT SCHULMAN: Thank you Mayor. Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. I just wanted to share three quick streams of gratitude. One, I wanted to echo Council's sentiment for Captain Jordan. For those of you who've know Captain Jordan and his spouse Bev Jordan for the decades that most of us have, I can say this community is a richer place, a better place for having them dedicate their time and work to all the causes they do. Secondly, I wanted to thank sponsor Schulman, Assistant Law Director Chessler, Service Director and some of his Department Heads and Council for updating the Water Commission. It's long overdue. It's a cleaned up version of the 1964 Commission and it will help toward achieving the goals of safer and more sustainable, more commercially viable water supply. And lastly, I wanted to thank Lem Green, our City Council and our Administration and Development Department for working together so closely this past week to hopefully obtain a nice size grant from the Stark County Land Reutilization Corporation. We have the potential to leverage millions of dollars to attack and maybe clean up our 433 officially designated demolition residential homes. This would be one giant step toward alleviate a lot of the blight that is so problematic for Council right now. But that Resolution, thank you all for the doing that. It is a huge step forward.

PRESIDENT SCHULMAN: I want to commend the Mayor and Director Price and certainly Safety Director Ream on their preparations for this potential weather problem. We, just briefly, we did hear tonight from a couple people about running government like a commercial enterprise and you know, sometimes we're not a commercial

**MINUTES OF THE MEETING OCTOBER 29, 2012**

enterprise. We don't make a profit. We have to protect our citizens no matter who they are, not because we're looking to make a profit off of it, because that's our job. I don't consider our citizens who vote for me to be a customer. They're not my customer. They are my constituents. They are my neighbors. They're my friends and I care about them as much as I care about anyone else in our community. So I appreciate what you're doing for the best of us, the well off and the least well off in our community and you deserve to be commended for it and certainly we hope that you don't have to put any of these emergency plans into action. Leader.

MEMBER DOUGHERTY: I move we adjourn.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adjourn. Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: The meeting is adjourned. Be careful everyone. Thank you for coming. *(Gavel falls)*

ADJOURNMENT TIME: 8:34 P.M.

ATTEST: NOVEMBER 2, 2012  
CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

APPROVED: NOVEMBER 2, 2012  
ALLEN SCHULMAN  
PRESIDENT