

MINUTES OF THE MEETING NOVEMBER 5, 2012

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. Before we begin our meeting tonight, I would like to address two sad matters. First Patricia Kirk is in the hospital and I don't think it's appropriate for me to talk about her condition but nevertheless, she's had some very tough times physically this last week. So, I want....I know we would all say that we want to extend our thoughts and prayers to Patricia. And she really, you know, other than her close friends, she doesn't have a family here. So, if anybody wants to send her a card or see her, we can provide the information to you. And I'd like to also take a moment of silence for our Canton City School Superintendent, Chris Smith, passed away so young and so tragically this last week, I looked at the Canton Connection and there's the Mayor with Superintendent Smith. I guess it reminds us that life is very short, we have to live it to the fullest everyday and I know all of us extend our deepest sympathies to the Superintendent's family, his friends, the school system. So, let us take a moment of silence.

(MOMENT OF SILENCE FOR CHRIS SMITH, CANTON CITY SCHOOL SUPERINTENDENT)

PRESIDENT SCHULMAN: Thank you very much. Now, with a quorum being present, the Chair does call 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, GREG HAWK, THOMAS WEST, CHRIS SMITH, KEVIN FISHER, JOHN MARIOL, EDMOND MACK & FRANK MORRIS)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER JOE COLE ABSENT)

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Leader, I'll recognize a motion to excuse Member Cole from this evening's meeting.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Cole from this evening's meeting. Any remarks? Just so the record the record is clear and the folks in the audience and his constituents understand, he's suffering from the flu that's going around and he's pretty under the weather. So, again, we wish him a speedy recovery too. Any other remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and Member Cole is excused from this evening's meeting. Tonight we'll have our invocation given tonight by Ward 8 Council Member and fellow barrister, Edmond Mack. If you'll all stand and please stand remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on November 5, 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 8 Council Member Edmond Mack. The Pledge of Allegiance led by President Schulman.

PRESIDENT SCHULMAN: Thank you Member Mack, particularly the morally bankrupt side of it.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We're now under Agenda Corrections and Changes and Members of Council, you're going to be asked to suspend rule 22A to add the 2nd Reading of Ordinances 4 through 9. Leader, I'm sorry I took your piece there.

MEMBER DOUGHERTY: Mr. President, I move to suspend Rule 22A to add 2nd Reading Ordinances 4 through 9.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2nd Reading Ordinances 4 through 9 to this evening's Agenda. 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.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. We have no Public Hearings this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: Turning now to Old Business. I will ask whether the Mayor's Chief of Staff and our capable Service Director has any remarks, Warren.

CHIEF OF STAFF PRICE: Thank you Mr. President. Just one item, I did have a meeting with the staff today regarding the situation on Mount Vernon Boulevard and we'll be inviting...well let me know if you want to attend. We'll be inviting certainly Mr. Mariol and Ms. Cirelli to attend a briefing or informational session on that and then from there we'd like to meet with the stakeholders. But I'm not sure John if that's what you were calling me about today and I'm sorry for not getting back to you but...so, we did follow up on that. Thank you.

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PRESIDENT SCHULMAN: Thank you, any questions from anyone?

PUBLIC SPEAKS

PRESIDENT SCHULMAN: Turning now to Public Speaks. We have 4 speakers in the audience tonight. I would just ask that the speakers who have never addressed Council, the Administration be mindful we have a 3 minute in which you can address us. We'll all be here after the meeting to talk with you further if you think that's necessary but try to watch your tongue. Our first speaker is Sarah Buckan....Buckman...Buchanan. I'm sorry, Sarah Buchanan, excuse me. Would you step forward ma'am and give us your name your residential address. And excuse me for getting your name wrong.

SARAH BUCHANAN: Good afternoon, this is my first time being here. I just come to express my...my concerns.

PRESIDENT SCHULMAN: I'm sorry, we need your name and your address.

SARAH BUCHANAN: Okay, my name is Sarah Buchanan. I live at 2919 Harmont Avenue NE, which is known as CHIPS. Would somebody help me, it's like a war zone up there. It's like I (*inaudible*) up there. Two months ago there were 29 bullets shot at three apartments up there. One glazed a lady's ear, one the leg while she was picking up her child. The police was there for 15 minutes, what an investigation, 15 minutes and 29 bullets and the holes....went through the whole walls. So, I called them back and asked them "why you didn't take an investigation?" They said, "Well what you want us to do, come back and ask questions?" I said, "Well wasn't that what you supposed to do in the first place?" My son got stabbed 15 times up there because his and his boy got into an argument. The boy said he had a gun, he didn't have no gun. (*Inaudible*) he got stabbed 15 times, you gonna shot somebody. My son is in jail for 12 years for this. Okay, there's shootings up there all the time. We got sewers coming up, we got sewers running down on people's kitchens in their food. The place is falling apart up there. We got windows over the stoves...not only kitchen windows but the windows are actually over the stove fire. People's curtains are catching on fire, not even just the window, it's the wood around the window, they are actually catching on fire too and this is HUD housing. This is a project, it's a sore sight to see we got new housing in the area. But to look at CHIPS has not been rehabed. I been up there for 13 years in at least 50 years since it been put up. There's been no remodeling, no nothing. And it's a sore sight to see let alone live there. And there's so many gun shootings that kids see in the daytime. And when the police come up, they don't do a thorough investigation because my son would not be in jail for 12 years if they had. They didn't even see no....there was a bucket and mop where the guy tried to clean up, they didn't even look at that. When they do come up there, sometimes there's 3 or 4 guys around the cops, they're actually carrying guns on them, standing right beside the police. (*Inaudible*) my granddaughter because she is scared too. Little kids know when they hear a gunshot they hit the ground. This is no kind of way for nobody here in Canton to live. And out of all the apartments, everybody wants to rehab Highland Park all the time. What's wrong with CHIPS? It has not been remodeled since it's been there and like I said, there's windows right over the stove, you turn on your fire, the window is there. The wood around the window in some places are catching on fire. We need help, serious help up there. And our Police Department is not doing they job and they half investigate. Twenty-nine bullets and two people getting grazed and they're only there for 15 minutes and didn't ask nobody no questions. That's all for now.

PRESIDENT SCHULMAN: Thank you very much.....

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SARAH BUCHANAN: And if you want my phone number and you want to talk about this a little longer, I can't tell you I been there 13 years, I can tell you everything you want to know.

PRESIDENT SCHULMAN: Thank you very much Mrs. Buchanan. Thank you ma'am for coming down, thank your family. Our next speaker is Richard Drake. Mr. Drake, you're not a stranger but if you'll give us your name and your residential address please.

RICHARD DRAKE: Hi my name is Richard Drake. I'm an ISA Certified Arborist. I live at 3020 Sycamore Avenue, SE in Canton Township. I'm here on concerns of people complaining about their trees that have value that's been cut down, they were given no (*inaudible*). Well I know we all love trees. I'm a tree lover, not a hugger. But when you buy a tree and spend a lot of money and you plant it and it grows, they do...they do increase in value. But when it's planted in the wrong location and the condition of the tree as it ages, the price goes down. Especially when they grow up in the power lines and stuff and the utility company has to cut them away. So, we're going to get into what tree value and what it's based on. It's based on size, type, condition, location and related to function and status. Now, the forces work against trees as they age and you have a tree of say a 24 inch diameter (*inaudible*) weighs between 10 and 15,000 pounds. And the course that's working against them is compression, shear, torsion and tension. Now, what I'm talking about here, as these trees age (*inaudible*) diseased or whatever, structurally, mechanically, they'll weak. So, it's just like a house that's been condemned or burnt that's on the demolition list, it's worthless and that's what these trees were in this one sight, there's over 50 trees cut down and 98 or 98% of them was worthless, they were not worth a dime, as a matter of fact, they were a liability not an asset. Now I stated earlier, another time I was here, an average tree, 12 inch diameter is worth \$3,201.00 but that all goes into play with site and condition and if it's in the wrong site and the condition is bad, there's...there's just no money there. So, I just wanted to come and bring this to Council to know why there's no value in some of these trees. If they're diseased and dying, they're goners and they're not worth anything. And as trees age, it depends on the tree's genetic potential, this tree could be 100 feet tall, lived 150 years old but site and location comes into play, poor soil quality, the genetic potential isn't there, it can't grow. So, when you're coming into tree planting and the Tree Commission, which I know they'll take this into consideration, you have to put the right tree in the right place and it's not going to live long. It'll take 20 years to grow, 20 years to live and 20 years to die on the average and you're lucky to get that out of City trees. So, basically that's what I had say here about tree value and then my condolences to Pat Kirk, I wish her well and a speedy recovery. Thank you.

PRESIDENT SCHULMAN: Thank you very much Mr. Drake. Our next speaker is Eric Wohlwend and I hope I've pronounced your name right sir. But if you'll step forward and give us your name and your residential address and welcome to Canton City Council.

ERIC WOHLWEND: Thank you, my name is Eric Wohlwend and I'm from 5844 Dueber Avenue SW, East Sparta, Ohio. I would like to state some of the affects of raising the fees to do business in your City. I understand that the City of Canton, like many Cities is short of funds. Raising the rates to register a rental property in this City may initially raise a little bit of revenue. However, there are other affects that will cost the City much more then the initial increase the Ordinance provides. Many people have stood up and stated their objections to this Ordinance. I'd like to tell you what it will cost coming from my company in lost revenue to your City. I've brought investors from all over the United States to invest in our County from New Jersey, Texas, even Oregon. I even have one in Germany. Last year alone we purchased 3½ million dollars worth of real estate in Stark County. We purchased this in distressed, vacant and run down properties that no

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one else wanted to buy. We then put another 2 million or more into these properties to fix them up. Currently we have hundreds of units around the County. We want to invest in better, safer and cleaner Cities. A better City increases the value of our properties. It also increases your tax basis when we fix these properties up. We want ease of owning. Investors will go to the City that has the highest rents and the lowest amount of hassle. For the money that we spend in your City, you or other Government entities, schools, etcetera receive sales tax from all the materials that we buy, receive a tax on the rental income that we collect, you receive higher property taxes, we hire local contractors and they pay taxes. They also pay for permits. Every property we fix up, not only increases its value but also the value of all the neighbor's properties. The properties we buy normally are the ones that people want torn down because they haven't been kept up, they're in a terrible state of disrepair, maybe their fire hazards like where the lady was talking about before. These can't be bought by homeowners because they're just in terrible shape with missing furnaces, plumbing, leaking roofs, broken windows, outdated electric or any number of other problems that would prevent a bank from loaning on the property. Now even though my main office is in Canton, Ohio right by Aultman Hospital, of the hundred units that we manage, before last year, almost none were in the City. It was just too hard to do business here. After changing the law last year it got much easier and we started to take a chance in buying in the City. Of the hundreds more that we purchased last year, only about 20 units were in the City of Canton. Now we're holding on to see what happens here. If this Ordinance changes and raises our fees, we can simply move to any of the other local communities to buy and fix up their communities. Since this has been proposed to triple our fees, I've already opened an office in Columbus. I'm considering moving the majority of my operations there. Now let me state that I have grown up in this community and I would much prefer to do business here but not at the cost that it's taking. If the City decides that it wants an influx of money, jobs and safe, clean rental units is in its best interest, I'd love to help. There are many other interested investors like myself that would also. I believe that making it easier to do business here is the fastest way to improve the lives of all the citizens of the County and would also provide more jobs and create tax revenues in multiple ways.

PRESIDENT SCHULMAN: Okay, thank you very much...

ERIC WOHLWEND: Sorry about going over.

PRESIDENT SCHULMAN: That's okay. Thank you.

ERIC WOHLWEND: Everybody else that's here, to save time, stand up if you're here to talk about the same thing as me, please do so.

PRESIDENT SCHULMAN: Well we welcome all of you, thank you very much Mr. Wohlwend. Thank you for your position and thank you folks for coming. Our last speaker is Rick Chadwell. Mr. Chadwell, good evening. If you'll step forward and give us your name and your residential address please and welcome to Canton City Council.

RICK CHADWELL: Thank you, my name is Rick Chadwell, address is 5563 State Road in Wadsworth, Ohio. And Eric is a tough act to follow, he spoke eloquently. Essentially, I have the same concerns. I am actually a real estate investor. I currently own 14 properties in the City of Canton and raising the fees would be...have an impact of me and for more importantly an impact on the tenants because I'll tell ya, I can't afford a 6 fold increase in the registration fee. And I can tell you where it will go, it will go right to the...to the tenants,

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people who can't afford. And I hate to do that but it's either that or I've got to cut corners and I...I consider myself a good landlord. I am more than happy to get pictures and share it with Council and let you know that when I rehab a property, I try to do it and....and my thought process is when I rehab a property, if I do it right, I won't have any maintenance for 5 years. So, I don't cut corners, do it right, whatever it needs, do all the permits but I've got to tell ya, I live in Wadsworth and the reason I invested in this community is I like the community, like...it was easy to work with but the more challenging it becomes to work with, it'll be easier for me to go somewhere else. I'm looking to expanding my portfolio. All these are owned by my retirement, so this is my retirement funds that I'm looking at and I have to make a good investment. So, all I would ask is that you please consider that and...and look at the people that are investing. The people that attend the meeting and took the time to do that are the landlords you'd like to keep in the area. I'd be more than happy to talk with anybody after the meeting to make sure. But just like Eric said, I'd like to employ local people, keep the money here and we like to think we provide a service for that. But as it becomes more challenging, I will go elsewhere and I can tell you I've looked at other areas like Akron, which is closer to my house, would be easier to invest in and I don't because of the policies and the fees and the structures. So, I don't go there, I come to this area. And you know, in addition when I come down here, I like to spend my own money too and go places like Geisen House, or you know, local restaurants, those kind of things but more importantly, I think we help build a community and keep the neighborhoods nice and make it a place where people want to rent. And I can tell you, when I get a vacancy, they're usually rented within two weeks because they are nicer. And my wife and I take pride in doing that because that's...we...we thin....we hope that it's one of the nicer places that somebody might get a chance to live in. So, you know, again just please keep that in mind when you start looking at that. I know it's a way to raise funds but the..the fees actually don...you know, are....are short term and the long term affect of the neighborhoods could be devastating for empty properties. So, and...and other things...just sometime look at the rules a little mention, I ran into a property that was vacant, sometimes it's tough to file all the paperwork. I'm a little scared when you say like you get a \$30.00...or 30 day jail sentence if I don't register things, somebody will notify me but like for example, I had a property that had some debris on it, they put a...I'm sorry, they boarded it up, put a notice on the front door of the empty property. So, I didn't get there in the 48 hours required and got a fine for a board up fee. But they were able to find my address to send the bill to. So, I would say that if you could find me to send the bill, send me the notice of a board up and I'll be happy to take care of my properties. Things like that happen but keep in mind, we're not trying to do anything intentional. Thank you.

PRESIDENT SCHULMAN: Thank you very much Mr. Chadwell. Thank you sir, thank all the speakers for coming down and sharing their information with us. We actually do listen to it.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions. We have none this evening.

COMMUNICATIONS

PRESIDENT SCHULMAN: Turning to Communications. Let 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 NOVEMBER 5, 2012.

387. ANNEXATION CHAIRMAN HAWK: REQ LEGISLATION TO AUTHORIZE AMENDMENT OF

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PLAIN TOWNSHIP - CITY OF CANTON CEDA TO ALLOW CENTRAL ALLIED TO EXPAND THE CURRENT SCOPE OF THEIR WORK ON THE SITE. - ANNEXATION COMMITTEE

388. AUDITOR MALLONN: REQ FOR ADDTL AMENDED CERT DATED 10/25/12. - RECEIVED & FILED
389. AUDITOR MALLONN: MONTHLY RPT BY FUND 10/1/12 - 10/31/12. - RECEIVED & FILED
390. AUDITOR MALLONN: YEARLY RPT BY FUND 1/1/12 - 10/31/12. - RECEIVED & FILED
391. DEPARTMENT OF COMMERCE: ADVISING THAT HRG FOR LIQ PERMIT TRANSFER OF OWNERSHIP APPLICATION FOR DG HOLDING & MGMT CO INC DBA THE SPOT HAS BEEN RESCHEDULED FOR 11/30/12 AT 9:00 AM @ JOBS & FAMILY SERVICE LOCATED AT 221 3RD ST SE. - RECEIVED & FILED
392. DEVELOPMENT DIRECTOR WILLIAMS: REQ AUTHORIZATION FOR MAYOR &/OR SERV DIR TO ENTER INTO AGMT W/AMBAFLEX MANUFACTURING INC TO PROVIDE A 10 YR, 75% PROP TAX ABATEMENT & A CDBG ECONOMIC DEV GRANT BASED ON JOB CREATION. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
393. LIQUOR CONTROL DIVISION (OHIO): REQ FOR D1 D3 D6 TRANSFER OF LIQ PERMIT FROM GLENDALE PLAZA INC @ 1210-12 30TH ST NW TO F&T LLC DBA NOTTURNOS BAR & GRILLE @ 1210-12 30TH ST NW. - RECEIVED & FILED
394. SERVICE DIRECTOR PRICE: REQ SERV DIR TO ENTER INTO 1 YR SERV AGMT WITH ACLARA RF SYSTEMS INC IN AMT OF \$28,080.00 FOR SYSTEM & SOFTWARE MAINT; AUTHORIZE SUPP APPROP OF \$16,848.00 FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207003 APPROP WATER BILLING AND \$11,232.00 FROM UNAPPROP BAL 5410 SEWER FUND TO 5410 207003 APPROP SEWER BILLING. - FINANCE COMMITTEE
395. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ACCEPT PRICE QUOTE TO REPLACE NATURAL GAS ENGINE AT CITY'S 2412 13TH ST NW LIFT STATION; CRAUN LIEBING CO WILL PROVIDE EQUIP FOR \$29,780.00; INSTALLATION COSTS ARE NOT INCLUDED. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
396. WARD 2 CNCL MBR WEST: REQ LEGISLATION BE DRAFTED TO ENTER INTO AN AMENDED PROF SVCS AGMT W/REDFLEX FOR PILOT PROGRAM FOR AUTOMATED PHOTO TRAFFIC ENFORCEMENT. - JUDICIARY COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We're now under 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.

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NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #3 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (2610 HARRISON AVE NW FOR FULTON LUMBER CO FROM PI-1 (PLANNED LIGHT INDUSTRIAL) TO PB-4 (PLANNED SPECIAL BUSINESS)
Referred to Judiciary Committee **PUB HRG 11/26/12 @ 7:30 PM**
- #2. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (1130 WERTZ AVE SW FOR VICKIE KNAFEL LUNSFORD FROM R1-A (SINGLE FAMILY RESIDENTIAL) TO PR-2 (PLANNED TWO FAMILY RESIDENTIAL)
Referred to Judiciary Committee **PUB HRG 11/26/12 @ 7:31 PM**
- #3. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (\$15,000.00 FROM UNAPPROP BAL 2767 COMM SANCTIONS GRANT FUND TO 2767 701001 COMM SANCTIONS GRANT - PERSONNEL)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Turning now to Ordinances and Formal Resolutions for the Second Reading. Madame Clerk would you please begin with Ordinance 4.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #4 THROUGH #9 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #4. (2ND 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
- #5. (2ND 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
- #6. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO FILE WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) A 2013 ANNUAL

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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

- #7. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 105, CONTRACTS, OF THE CODIFIED ORDINANCES
- #8. (2ND 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
- #9. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OR PUBLIC SERVICE TO ENTER INTO AN ENGINEERING CONSULTANT CONTRACT WITH URS, CORPORATION FOR THE 11TH STREET SE, INTERSECTION AND ROADWAY IMPROVEMENT PROJECT, PID 90465, GP 1144; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4568 11TH 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

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you very much Madame Clerk. Turning now to Ordinances and Formal Resolutions for their Third and Final Reading and vote. Would you please begin with Ordinance 10.

- #10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 185/2012** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO MAKE APPLICATION FOR 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

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Ordinance 10.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 10. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 185/2012

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 10 is adopted. Ordinance #11 please.

#11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 186/2012** 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)

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 under this Ordinance? Hearing none, again 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. 186/2012

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 11 is adopted. Ordinance #12 please.

#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 187/2012** 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

PRESIDENT SCHULMAN: Leader Dougherty.

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

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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.

#12 ADOPTED AS ORDINANCE NO. 187/2012

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

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 188/2012** 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

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 10 YEAS, 1 NAYS
(MEMBER CIRELLI VOTED NAY)

CLERK TIMBERLAKE: Ten yeas, one nay Mr. President.

#13 ADOPTED AS ORDINANCE NO. 188/2012

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 13 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Turning now to Announcement of Committee meetings.

MEMBER BABCOCK: Mr. President.

PRESIDENT SCHULMAN: Member Babcock.

MEMBER BABCOCK: Finance Committee will meet at 6:45 on Monday.

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PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

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

PRESIDENT SCHULMAN: Thank you.

MISCELLANEOUS BUSINESS

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

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I have a couple things. One is, I thought the irony of this was...Canton Crime Spikes By 16%. Violent Crime and Property Crime in the City Combined Has Spiked 60% From 2010 to 2011 and it goes on to talk about how the crime in Canton has increased and the same day across the Nation, they were talking about a decrease in 3.8% violent crime. So, in hearing the lady that came up and spoke about the area that she has and as we all know everyday we're hearing and seeing that crime has continued to grow in the City. I know we all have concerns as Council people and would like to see that on the decline. Especially whenever we had the Administration say we were going to have a zero tolerance. I'm not sure when we're going to hit that zero tolerance. The second thing is whenever the gentleman said he would rather...or he comes and buys in Canton spoke, I thought I heard him say he does not go to Akron because of their...something about the quality in their fees. Which I will check that out and see what those are in comparable to ours. And whether anybody reads these on Saturday, the real estate transfers, people come here to Canton because for one, there was a home that went sale for \$1.00. Under that is, one, two, two of them that went for \$3,000.00. Another for \$5,500.00 and these are being purchased by LLCs and so called businesses that actually are going to turn them into rental properties and when we know that our property we have was 60% is rentals and we also heard our Director Fonda Williams speak how the Government is telling us we have to reverse that and have more home ownership. So, I think we need to be aware and I would hope more people would read these on Saturday just to apprise you of what's happening in our community. Thank you sir.

PRESIDENT SCHULMAN: Thank you Member Cirelli.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I'd like to thank...give a shout out or a thank you to Dick Drake. This past week he took me down to Nimisilla Park and we learned that Nimisilla Park is infected with gypsy moth and of course he came up here before and told us about the gypsy moth and because of the drought these moths I guess are real visible through the parks. I wanted to thank him for that but also he took his own time out and...I had a tree...I had a complaint about a tree in one of our neighborhoods and he took us out there and gave us a...gave me an opinion and it looks like we're going to be able to take care of that problem. So, I just want to thank him because he did that on his own

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time, you know, free service. So, I really appreciate you and the information that you give to this City Council. Thank you.

PRESIDENT SCHULMAN: Thank you. Thank you Mr. Drake, we do appreciate all you do. I know in my neighborhood two trees dropped, almost within 100 feet of one another right on the street. One fell on a car that was in the driveway, I know from Hurricane Sandy, a number of deaths were caused by falling trees. So, when Dick talks to us about dangerous trees and old trees and as much as we love trees, sometimes they do have to be cut down because they're a danger and they'll kill ya. So, we appreciate all you do with your public service Dick. Thank you.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Mariol.

MEMBER MARIOL: Yes, last week we got some numbers from on the Code Enforcements budget and I had a couple questions. Maybe the Finance Director or the Safety Director, on the revenue side, the projected for 2012, if you can kind of tell me a little bit about how you came up with those projections.

PRESIDENT SCHULMAN: Director.

FINANCE DIRECTOR DIRUZZA: Yes, what I did was I took the year to date revenue, divided it by the number of weeks that we...you know, that have passed in year and just annualize it.

MEMBER MARIOL: Okay, thank you.

PRESIDENT SCHULMAN: Thank you Member Mariol. Any other Misc...is there any other Miscellaneous Business? Law Dir...

SAFETY DIRECTOR REAM: Yes Mr. President.

PRESIDENT SCHULMAN: I'm sorry, Safety Director.

SAFETY DIRECTOR REAM: In response to the spike in crime, I think it was a very good article and that they presented both sides. For this Council's knowledge, we feel that we have a pretty logical explanation for the spike that we saw and that was certainly the closing of 40% of the beds at the County jail. Our spike directly corresponded to that, it was pointed out in the article and as I and others stated in the article, when we get those beds back opened up to full capacity we certainly expect to see a differentiation and our...our crime rate heading back down. So, I just wanted to clarify that.

PRESIDENT SCHULMAN: Thank you Safety Director Ream. Any other remarks? Law Director Martuccio has a final remark.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Members of Council, we are all aware of course that winds have changed, have blown terribly with terrible consequences on the east coast and tomorrow they'll come in again in the form of political change one way or another or perhaps political status quo. And next week we won't be meeting and I want to thank all the Veteran's on Council, the Administration and the audience. I want to digress

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for a second into something a little lighter, a little more positive. Since we're not meeting for two weeks, I'd like to mention that our iconic theater, the Palace Theater is having its 2nd annual giant fundraiser called Dancing with the Stars on Saturday, November 17th. Here's an opportunity to have some fun and give a lot of money to the Palace Theater through betting on your favorite dancer. As you know, they select a number of people from the community and pair them up with a young dancer and I know among City luminaries, President Schulman is dancing this year. So, let's get out our wallets and help the Palace Theater for a good cause for whomever among the 11 people, 13....

PRESIDENT SCHULMAN: At least.

LAW DIRECTOR MARTUCCIO: ...put your money down. Thanks.

PRESIDENT SCHULMAN: Thank you...thank you very much. I've said all I need is a defibrillator, an Orthopedist, a Nurse and an ambulance and I'll be in good shape. Leader.

CLERK TIMBERLAKE: Oh, I'd like to say something.

PRESIDENT SCHULMAN: I'm sorry.

CLERK TIMBERLAKE: I'd like for you all to join me in wishing Allen a happy birthday today.

(APPLAUSE)

CLERK TIMBERLAKE: He's 25.

PRESIDENT SCHULMAN: We went to the movies last night and it said Paramount Pictures Celebrating 100 years and I looked at my wife and I said "I'm almost as old Paramount Pictures." *(Laughter)* It's a very sad thing. Leader....but thank you.

MEMBER DOUGHERTY: Mr. President, 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: Thank you Madame Clerk. Everybody please vote tomorrow. *(Gavel falls)*

ADJOURNMENT TIME: 8:11 PM

ATTEST: NOVEMBER 8, 2012
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: NOVEMBER 8, 2012
ALLEN SCHULMAN
PRESIDENT