

MINUTES OF THE MEETING AUGUST 10, 2015

PRESIDENT PRO TEM MORRIS: With a quorum being present, the Chair calls this... this meeting of Canton City Council to order. Roll call vote, please.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

12 COUNCIL MEMBERS PRESENT: (FRANK MORRIS, CHRIS SMITH, JAMES BABCOCK, RICHARD HART, WILLIAM SMUCKLER, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, KEVIN FISHER, DAVID DOUGHERTY, JOHN MARIOL, & EDMOND MACK)

TWELVE COUNCIL MEMBERS PRESENT. (PRESIDENT SCHULMAN ABSENT)

CLERK TIMBERLAKE: Twelve present, Mr. President.

PRESIDENT PRO TEM MORRIS: Thank you. Leader.

MEMBER SMITH: Mr. President, I move we excuse President Schulman from tonight's meeting.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to excu... excuse President Schulman from tonight's meeting. Are there any remarks? Uh, just for the record, Member... or President Schulman is at a bar. (*Laughter*) Oh, Bar Association outing at a bar. I don't know. A lot of things to do with a bar. Roll call, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Motion carries, and President Schulman is excused from this evening's meeting. Tonight's invocation will be given by our Ward 1 Council Member, Member Greg Hawk. Please stand... remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on August 10, 2015 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 Greg Hawk, Ward 1 Council Member. The Pledge of Allegiance led by President Pro Tem Morris.

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM MORRIS: We are now under Agenda Corrections and Changes. Leader.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #7 through and including #16. Ordinance #6 will be retained in committee.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to Suspend Rule 22A to add 2nd Reading Ordinances 7 through 16 to this evening's agenda. Ordinance #6 will be retained in committee. Are there any remarks?

MINUTES OF THE MEETING AUGUST 10, 2015

MEMBER SMUCKLER: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Smuckler.

MEMBER SMUCKLER: Didn't we retain several others in committee? I could be wrong.

PRESIDENT PRO TEM MORRIS: Uh...

CLERK TIMBERLAKE: I thought just number 6.

PRESIDENT PRO TEM MORRIS: Actually, yes.

MEMBER SMUCKLER: 10 and 11?

PRESIDENT PRO TEM MORRIS: If I am correct, we held number 10 and 11 as well.

MEMBER FISHER: 15 too.

PRESIDENT PRO TEM MORRIS: And 15. I apologize.

CLERK TIMBERLAKE: Can we review that again?

PRESIDENT PRO TEM MORRIS: Yes. Okay.

MEMBER SMITH: We are holding 6... 6, 10, 11 and 15?

PRESIDENT PRO TEM MORRIS: Correct.

MEMBER SMITH: Is that correct? *(Inaudible)*

MEMBER HAWK: *(Inaudible)*

CLERK TIMBERLAKE: They're not here. They're in... *(Pause)*

PRESIDENT PRO TEM MORRIS: Did that by design. *(Laughter)* Okay. 6 and 15.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #7 through and including 16. Ordinances #6 and 15 will be retained in committee. Is that correct?

PRESIDENT PRO TEM MORRIS: That's correct.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to suspend Rule 22A to add 2nd Reading Ordinances 7 through 16 to this... Uh, geez, I'm really off tonight... this evening's agenda. Ordinances #6 and 15 will be retained in committee. Are there any remarks? If not, roll call, please.

MINUTES OF THE MEETING AUGUST 10, 2015

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Rule 22A is suspended and the Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM MORRIS: We are now under Public Hearings, and we have none scheduled this evening.

OLD BUSINESS

PRESIDENT PRO TEM MORRIS: We're under Old Business, and Deputy Mayor Williams has told me... informed me that there is no old business this evening. Oh, that's good.

PUBLIC SPEAKS

PRESIDENT PRO TEM MORRIS: We're under Public Speaks. This evening we have 3 speakers signed up, and we will start with Mr. Shelton Akro?

MR. ARKOW: Arkow.

PRESIDENT PRO TEM MORRIS: Arkow? I'm sorry. Please state your name and your address for the record, please.

SHELDON ARKOW: Sheldon Arkow, 5315 Schuller Dr NE, Canton 44705. (*Hesitates*)

PRESIDENT PRO TEM MORRIS: You're good to go.

SHELDON ARKOW: Okay. I'm here to talk about flooding and what to do to get rid of the flood water. This is my fourth trip to City Council. First one I was called a liar. Second, third everybody seemed to want to do something. There was something done even though it was done wrong, and we've got a worse situation now. We just got over a flood that cost me in real money, out of my pocket, \$46,000.00 because the insurance companies, both Geico and um... and Progressive said it was an act of God. Well, the act of God didn't come with moving the dirt behind our house so that the water would run down. I presently have my own sump with an electric pump in it pumping out my back yard. My neighbor's don't, consequently they have to wait a couple extra days. My pump can't keep up with it, but it's better than nothing. Um, the... the thing is that it's gonna take money to do this, and it seems like there's other things that the City would rather spend their money on than... than the neighborhoods. We're preparing for a big Hall of Fame thing, paving the streets for it and so on, and we're suffering. I... I submitted a set of petitions signed by 70 of my neighbors. That's how many people have had problems. We have one lady across the street that has have to have her basement redone twice in the last two years. Uh, we can't keep going like this. It's... it's just not... not... it can't be afforded. I can't afford it. Not... it's not a wealthy neighborhood. We're retired. There's a lot of retired people on it. We need help. We really need help from the City. And the only thing that I can... and I'm no engineer, but the only thing I can think of is putting a big sewer behind our house because there used to be a creek there, and the developer was allowed to fill the creek in and sell lots. Consequently, the water has nowhere to go except in our back yards, which eventually it gets in our basements. Um, the City Collection Department has been absolutely fantastic. I can't say a bad word about them. They were there all last week looking for reasons that the existing sewers can't carry the water. They're just not big enough. Um, it's... the only thing that... that got to me, the other day

MINUTES OF THE MEETING AUGUST 10, 2015

there was an article in the paper where the county is buying meteorology to allow them to know when the Nimishillen Creek is rising. What good is it going to do knowing that the creek is rising? Does that tell you that you can go up on your roof? So, I'm hoping that I can get some help from this group. Thank you.

PRESIDENT PRO TEM MORRIS: Alright. Thank you, sir. (*Applause*) Our next speaker is Pastor Walter Moss.

PASTOR MOSS: Hello. I come to you tonight as the CIRV of Project Director. I wanted to share a report. The Stark County Community Initiative Reduce Violence is dedicated to reducing gang vi... gang related gun violence and violent crime in Stark County through law enforcement and social service providers and pro active community involvement. CIRV (*pronounced serve*) delivers one message to all the violent street groups that violence must stop. On Friday, July 31st, between 3:30 and 5:00 P.M. we did our boots on the ground over in the Gibbs area and, you know, there was no... meet with the Canton Police Department, with three community officers, Officer Scott Jones, Scott Dillinger and Officer Judy Solly. Unfortunately, there was no media. I... I witnessed something that I haven't seen a lot across the nation. I saw some white police officers walking with me for three or four city blocks, and I saw African Americans stop their cars and have a conversation. I saw an officer walk up to a door with me and begin to have conversations where the people weren't feeling threatened or the officer wasn't feeling threatened. They were just two people talking. And an African American lady asked an officer about a lot next to her house. He gave her his card and said hey, I'll find out who owns this lot. And I just wanted to say on behalf of the CIRV Project which covers all of Stark County, this is one of the first times that I can say I'm really, really proud of the Project and I was proud of the Canton City Police Department. Uh, at first the officers were talking about driving their cars, and I really didn't like that, but I didn't say anything. But actually they ended up walking. They said well, we get a call of an officer down we'll just run back to our car. And I really saw some laws broke... break down... broke down with the officers and the people, and I think that the Community Policing Department, we need more of it. We need more than just, I think we have three or six officers who are into that, and they work the afternoon shift. But it was really an awesome sight to experience and to see when people can actually talk and share their problems with an officer and not feel threatened. Had one lady stop her car and had the officer on one side, and she told him about a problem and then she turned to me and said I want to talk to you... talk to you about my son. Since the Project has been in place last October the GMI group member involvement, there's been no murders of a gang member shooting and killing another gang member. Now there's been shootings, yes, but from the information I got almost all those shootings were drug related. So as far as our GMI it... it stands at zero, and we're continually doing research with that, but if that holds true then CIRV is doing what it's supposed to do and that's to drop gang violence and to drop the number of murders, gang on a gang murders. Thank you for your time. (*Applause*)

PRESIDENT PRO TEM MORRIS: Thank you, Pastor. Our next speaker is Mr. Henry Preston.

HENRY PRESTON: Good evening. My name is Henry Preston. I live at 326 31st St NW, Canton. These last 60 days I've had some great opportunities, learning opportunities with outstanding employees at the City that I never dreamed I would have before, but I've had. And this past two weeks Mr. Molnar from the Building Department, what I had was a flim flam scam contractor, and so I learned the ins and outs on how they... these scammers operate, and Mr. Molnar spent over an hour of his time giving me one on one instruction of how they do and what I can do. And that's part of as a resident of Canton what can we do. Uh, and so I appreciated his input and one take away from that was that there's a lot of people operating in the City with no license, no permit, and I went... so I went and asked about how many permits have been pulled on my property. One, and that went back to 2003, so that's one of those things that the City has a service and I don't think it's utilized

MINUTES OF THE MEETING AUGUST 10, 2015

because I... as I check around there's... there's been a lot of work a lot of different places, no permit. The second opportunity I've had this past week was the Law Director's Office. There was three fantastic people there. I felt I was on the A-Team, and Christy was the young intern there, she took all my notes and did a fantastic job. And then there was Jason who was, he was kinda like the quarterback, and we... we had a chat with this flim flam contractor and the coach there, Mr. Martuccio, he gave me some wisdom so we could all play on the same team and we all do our parts. And so we all came together, I did my part, the quarterback did his part, and Christy did her part. I felt like I had the A-Team on my side. Thank you all very much. Thank you. (*Applause*)

PRESIDENT PRO TEM MORRIS: Thank you, Mr. Preston. Alright, that concludes public speaks.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM MORRIS: We are now under Informal Resolutions. We have one tonight. Madame Clerk, will you please read Resolution #29 by title.

#29. PERSONNEL CMTE: REQUEST CONFIRMATION OF APPOINTMENT OF BOB TILLIS TO BOARD OF BUILDING APPEALS COMMENCING RETRO 7/1/15 - 6/30/18. - ADOPTED

PRESIDENT PRO TEM MORRIS: Leader.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #29.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: There is a motion to adopt Resolution #29. Are there any remarks?

MEMBER SMUCKLER: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Smuckler.

MEMBER SMUCKLER: The reason I gave Mr. Tillis the speech about the landlords is I sat on the Board of Building Appeals. I very rarely ask a question they don't know the answer to already. And these landlords would show up and they'd get extensions. Some of them were 30 days, some of them 60 days, some of them 90 days, and then they'd come back again and get another extension. That's why I wanted to put Mr. Tillis on notice that it's enough already. And I wanted him to be aware of it just besides us approving very rapidly volunteers because in some cases these volunteers come back and end up hurting the programs that we're involved in. I don't know anything about Mr. Tillis. I hope he does a great job. But the first step of getting authorization extension is through Board of Building Appeals. Thank you.

PRESIDENT PRO TEM MORRIS: Thank you. Any other remarks? All those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION 29 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MORRIS: The ayes have it. Resolution #29 has been adopted.

MINUTES OF THE MEETING AUGUST 10, 2015**COMMUNICATIONS**

PRESIDENT PRO TEM MORRIS: We're now under 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 AUGUST 10, 2015.

282. AUDITOR MALLONN: MTHLY REPORT BY FUND FOR 7/1/15 THRU 7/31/15. - RECEIVED & FILED
283. AUDITOR MALLONN: YRLY REPORT BY FUND FOR 1/1/15 THRU 7/31/15. - RECEIVED & FILED
284. DEPUTY MAYOR WILLIAMS: REQ AUTHORIZATION FOR CITY OF CANTON TO ENTER INTO GRANT AGMT IN AMT OF \$175,000.00 WITH CANTON REGIONAL CHAMBER OF COMMERCE FOR PURPOSE OF DEVELOPMENT OF COMMUNITY. - FINANCE COMMITTEE
285. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ENTERPRISE ZONE AGMT WITH HISTORIC ONESTO LLC TO PROVIDE REAL PROP TAX EXEMPTION AND AUTHORIZE AUDITOR TO MAKE PAYMENTS TO CANTON CITY SCHOOLS BOE AS REQUIRED BY SEC 5709.82(C) OF REVISED CODE (10 YR 75% REAL PROP TAX ABATE - PARCELS 209886, 243353, 244732. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
286. LIQUOR CONTROL DIV (OHIO): REQ TRAN OF C2 C2X PERMIT FROM VOLKERTS PARTY STORE LLC TO RBP EMPIRE LLC @ 2535 W TUSC 1ST FL & NW CORNER BSMT. - RECEIVED & FILED
287. MAYOR HEALY: ADVISE COUNCIL OF REAPPT OF SEAN WHITED TO MAYOR'S COMMUNITY RELATIONS COMMISSION, EFFECTIVE 7/1/15 TO 6/30/17. - RECEIVED & FILED
288. PROP OWNER, DAN HERSHBERGER: REQ AUTHORIZATION FOR ZONE CHANGE LOCATED AT 3660 GREENTREE AVE. SW, WARD 4 (NEW DAWN DEVELOPMENT). - PLANNING COMMISSION
289. SAFETY DIRECTOR PERRY: REQ PERSONNEL MODIFICATION FROM DEPT. OF COMPLIANCE TO DEPT. OF COMM DEVEL; HUD HAS REQ DEPT. OF FAIR HOUSING FALL UNDER OVERSIGHT OF DEPT. OF COMM. DEV. - PERSONNEL COMMITTEE
290. SAFETY DIRECTOR PERRY: REQ TO WITHDRAW COMM #280 FROM JULY 27, 2015 AGENDA. - RECEIVED & FILED
291. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO

MINUTES OF THE MEETING AUGUST 10, 2015

AGMT WITH GENTLEBROOK, INC. FOR A WATER MAIN EXTENSION WITHIN VILLAGE OF HARTVILLE. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE

292. SERVICE DIRECTOR BARTOS: AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
293. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR JULY, 2015. - RECEIVED & FILED
294. TREASURER PEREZ: RPT OF AMBULANCE LOCK BOX ACCT FOR JULY, 2015. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM MORRIS: We're under Ordinances and Formal Resolutions for their First Reading. Madame Clerk, begin with Ordinance 1, please.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #5 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 42991 & 42992; AND DECLARING THE SAME TO BE AN EMERGENCY (ED DOMER FOR CLIFF JUMPERS, LLC @ 1325 17TH ST NE)
Referred to Public Safety & Thoroughfares Committee
- #2. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 184, 185 & 186; AND DECLARING THE SAME TO BE AN EMERGENCY (STANDARD HEATING & PLUMBING AND CANTON REP @ WALNUT AVE SE BTWN 4TH & 5TH SE)
Referred to Public Safety & Thoroughfares Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$12,800.00 TO DELL MARKETING L.P.; AND DECLARING THE SAME TO BE AN EMERGENCY (POLICE DEPT)
Referred to Finance Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A REIMBURSEMENT GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$3,500.00; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,500.00 SUPP APPROP FR UNAPPROP BAL OF 2812 FIRE DEPARTMENT EMS GRANT FUND TO 2812 103001 FIRE DEPARTMENT EMS GRANT - OTHER)
Referred to Finance Committee

MINUTES OF THE MEETING AUGUST 10, 2015

- #5. (1ST RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO FINE GRADED POLYMER AC OVERLAY TO STA US 30 FROM 9.58 TO 13.10 MINOR BRIDGE WORK; AND DECLARING THE SAME TO BE AN EMERGENCY (PROJ - PID NO. 84627)
Referred to Finance and Public Safety & Thoroughfares Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM MORRIS: We are now under Ordinances for their Second Reading. Madame Clerk, will you please begin with Ordinance #6.

CLERK TIMBERLAKE: Ordinance 6 is retained. I'll begin with Ordinance 7.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #6 THROUGH ORDINANCE #16 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (ORDINANCES #6 AND #15 RETAINED IN COMMITTEE; #8 ADOPTED ON 2ND READING)

- #6. (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE SUBMITTING, PURSUANT TO AN INITIATIVE PETITION, TO THE ELECTORS OF THE CITY OF CANTON THE QUESTION, "SHALL A COMMISSION BE CHOSEN TO FRAME A CHARTER?" AND FOR THE ELECTION OF MEMBERS OF THE CHARTER COMMISSION; AND DECLARING THE SAME TO BE AN EMERGENCY
- #7. (2ND RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE FIRST TEE #2 ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
- #8. (2ND RDG) **ADOPTED AS ORDINANCE NO. 155/2015** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$25,000.00 TO SARTA; AND DECLARING THE SAME TO BE AN EMERGENCY (MORAL OB FOR BUS PASSES DISTRIBUTED ON COMM DEV DAY)

PRESIDENT PRO TEM MORRIS: Leader.

MEMBER SMITH: Mr. President, I move we suspend Statutory Rule for Ordinance #8.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: There's a move to suspend the Statutory Rule for Ordinance #8. Are there any remarks? If not, roll call, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

MINUTES OF THE MEETING AUGUST 10, 2015

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Thank you. You've heard your three readings, Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #8.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded that you adopt Ordinance #8. Are there any remarks under this ordinance?

CLERK TIMBERLAKE: Mr. President.

PRESIDENT PRO TEM MORRIS: Yes.

CLERK TIMBERLAKE: I would like to request that all council members just take a look at the paperwork they have in front of them. I do not seem to have this ordinance from committee. If you could just take a peek and see if you have Ordinance #8 in any of our paperwork before you, please. Just might have picked it up by accident, or when you signed it didn't get it to me, or something. *(Background voices, laughter, whistling)*

PRESIDENT PRO TEM MORRIS: Yeah, sure you didn't Fish. Hey, there's a good excuse. Bet no one in City Government's used that one before.

CLERK TIMBERLAKE: I knew it was here, so thank you very much. Thank you. Okay, roll call.

PRESIDENT PRO TEM MORRIS: Roll call, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President. Thank you.

#8 ADOPTED AS ORDINANCE NO. 155/2015

PRESIDENT PRO TEM MORRIS: Ordinance #8 is adopted.

- #9. (2ND RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (CHANGE REPORTING STRUCTURE OF PREVAILING WAGE COORDINATOR TO SERV DIR DEPT OF PROCUREMENT)
- #10. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$9,844.25 TO U.S. POSTAL SERVICE; AND DECLARING THE SAME TO BE AN EMERGENCY (MORAL OB FOR INVOICES FOR PARKING GARAGE ATTENDANTS)

MINUTES OF THE MEETING AUGUST 10, 2015

- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$8,101.33 TO AMERICAN ELECTRIC POWER; AND DECLARING THE SAME TO BE AN EMERGENCY (MORAL OB FOR TRAFFIC SIGNAL ELECTRIC BILL)
- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$125,142.41 TO CARGILL, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY (MORAL OB FOR MINIMUM SALT PURCH FOR STREET DEPT)
- #13. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$19,950.00 TO HD SUPPLY WATERWORKS, LTD.; AND DECLARING THE SAME TO BE AN EMERGENCY (MORAL OB FOR PIPE FITTINGS FOR WATER DEPT)
- #14. (2ND RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PERRY TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY (KOLP MGMT CORP TO SERV PROP AT NW CORNER OF NAVARRE RD & WHIPPLE AVE SW)
- #15. (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$73,411.00 TO COON RESTORATION & SEALANTS, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY (MORAL OB FOR REPAIRING FACADE AT CIVIC CTR)
- #16. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A COOPERATIVE AGREEMENT WITH STARK COUNTY FOR THE CITY OF CANTON'S SHARE OF STARK COUNTY'S MAPLEWOOD (NEW DAWN SUBDIVISION) SANITARY SEWER PROJECT, GP 1236; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$305,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206317 MAPLEWOOD (NEW DAWN) PROJ, GP 1236 - OTHER)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM MORRIS: We are now under Ordinances for their Third and Final Reading. Madame Clerk, would you please begin with Ordinance #17.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCE #17 THROUGH ORDINANCE #21 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 156/2015** AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 109/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-25379 LOCATED ON 2ND ST NW)

MINUTES OF THE MEETING AUGUST 10, 2015

PRESIDENT PRO TEM MORRIS: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #17.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #17. Is there any remarks? If not, roll call, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 156/2015

PRESIDENT PRO TEM MORRIS: Thank you. Ordinance #17 has been adopted. Ordinance #18, please.

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 157/2015** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-15334 LOCATED ON SANDAL PL NE)

PRESIDENT PRO TEM MORRIS: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #18.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #18. Is there any remarks under this Ordinance? If not, roll call, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 157/2015

PRESIDENT PRO TEM MORRIS: Ordinance #18 has been adopted. Ordinance #19.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 158/2015** AN ORDINANCE ADOPTING THE CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM MORRIS: Leader.

MINUTES OF THE MEETING AUGUST 10, 2015

MEMBER SMITH: Mr. President, I move we adopt Ordinance #19.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #19. Is there any questions on this Ordinance? If not, roll call, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 158/2015

PRESIDENT PRO TEM MORRIS: Ordinance #19 has been adopted. Ordinance #20, please.

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 159/2015** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE AND/OR PARK COMMISSION TO APPLY FOR, ENTER INTO AGREEMENT FOR, AND RECEIVE FUNDS FROM MULTIPLE POTENTIAL FUNDING SOURCES FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM MORRIS: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #20.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance 20. Is there any remarks? Hearing none, roll call, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 159/2015

PRESIDENT PRO TEM MORRIS: Thank you. Ordinance #20 has been adopted. Ordinance #21, please.

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 160/2015** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT FROM THE 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN AN AMOUNT NOT TO EXCEED \$69,709.00 RATIFYING ANY AGREEMENT ENTERED INTO WITH THE STARK COUNTY COMMISSIONERS REGARDING DISTRIBUTION OF GRANT FUNDS; AUTHORIZING THE AUDITOR TO RENAME FUND 2769 TO THE 2015 BYRNE LOCAL SOLICITATION GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$69,709.00 FR UNAPPROP BAL OF 2769 2015 BYRNE LOCAL SOLICITATION GRANT FUND TO 2769 102001 POLICE ADMIN - OTHER)

MINUTES OF THE MEETING AUGUST 10, 2015

PRESIDENT PRO TEM MORRIS: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #21.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #21. Is there any remarks under this Ordinance? Hearing none, roll call, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 160/2015

PRESIDENT PRO TEM MORRIS: Thank you. Ordinance #21 has been adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM MORRIS: We are now under the announcement of Committees.

MEMBER HAWK: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Hawk.

MEMBER HAWK: Thank you, good sir. The Finance Committee will meet Monday, August 24th 2015 at 6:45 p.m.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM MORRIS: Member West.

MEMBER WEST: Public Safety and Thoroughfares will meet same time, same place.

PRESIDENT PRO TEM MORRIS: Member Mack.

MEMBER MACK: Mr. President, Judiciary will meet at the same time and at the same place.

PRESIDENT PRO TEM MORRIS: No problem.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM MORRIS: Okay. We are now under Miscellaneous Business? Member Smuckler.

MEMBER SMUCKLER: I have a number of issues tonight. First issue, to the Arkows who have been coming down here repeatedly. This is another case where we've handed out permits to build to anybody that wanted to build over there and didn't take into account the infrastructure. This is no different that Mrs. Turkeltaub on Market Avenue where we let everybody build across the street from Market Avenue. The reverse of this is it's these people's back yards instead of the front yard. We do nothing for them. Don't get your hopes up because what they're gonna tell you is there's no money to do anything for you and too bad, too sad. I don't feel that

MINUTES OF THE MEETING AUGUST 10, 2015

way, and if you ever take us to court I will be a hostile witness to the City and testify on your behalf. That's what we do in this community. We let people build wherever they want to build as long as they're gonna build, and we don't take into account the infrastructure. Number two, I called the Law Director upset on Friday after I got a look at this utility billing. Now, I'm even more upset. A friend of mine used to sit I think pretty much in this seat, Member Coleman, when he was here, and at some point in time when he got tired of all this he'd slam his hand down on the table and he'd start to scream. You don't put a water bill and sewer bill together for one month in the rears at 1815 Echo Place NW, a \$624.21, that's not a one month bill. Now, I'm tired of this too. Some people say to me why do you get so upset down here. Because after 30 years of hearing the same crap over and over again it's tiresome. And this was... all this is. Mr. Filliez is on here 25 times! Don't tell me we shouldn't be prosecuting these people! 25 different locations! Now I'm sorry if I'm hurting somebody's feelings, but it's enough already. I asked the Assistant Treasurer when I walked over here do we do collections in income tax? His answer was yes. Do we pay for it and take it out of the taxes that are owed? His answer was no. It's tapped onto their bill. I asked whoever's doing the collections for them to please get us the information for Monday night. Again, this is old. And this has got to stop. And we can't keep saying no, we can't do anything about this, because we can. Mr. Law Director, take them to court. Thank you. (*Applause*)

MEMBER WEST: Chairman.

PRESIDENT PRO TEM MORRIS: Member West.

MEMBER WEST: You got the best corn beef in town. I'm sorry, I just felt I needed to do that being the Ward 2 councilman after Peel Coleman. I also wanted to say the Hall of Fame events was spectacular. This year went over the cup, and I just... you know, I was so excited about going to the events, but seeing the money change hands and seeing all the celebrities having their events here in the City of Canton like at the Metropolitan. It... it was just wonderful. I... I loved everything about it, so I'm just giving applauses to all the departments for all the work that you've guys done as well as the Hall of Fame and the Chamber for again putting on another spectacular event. And then, I got two other issues. I always use the positives first. Um, it was brought to my attention, and I talked to the Leader about it, in reference to the animal nuisance, and we've spent \$6,000.00 in 30 days on animals, which proves my point that we need to get an animal nuisance officer in the City of Canton. So we're at \$12,000.00 and they have made the statement of shutting it off. And I'm ask... here to ask the Administration and, you know, council, let's get together, let's figure this out because I know I called in last week and Cindy had a trapper come out at the house behind us and caught four animals in four days, a raccoon, a opossum, a skunk and a groundhog. And we have an issue and I think, you know, some people can look back and say well, you know, that's the... that's the homeowner's responsibility, that's the people's responsibility, but the reality is, you know, the intercity people, they're telling them to take their bags out of their trash can and put it out on the ground before so that the drivers man can take it. Well, by the end of the night raccoons get in, next thing you know you got trash all over the place, which attracts more animals. Uh, I just want to get this... I mean, I want to nip this thing in the bud. And if we spent \$6,000.00 in a month, surely we can pay a full time person to trap these animals at a cheaper rate. So I'd like us to get our head together and wrap ourself around this and get it done for the community. And then the last thing I'd like to talk about is the demolitions. We have a demolition list, an NIP list, we have a CDBG list, we're supposed to have that, but if something's not funded we should still have a demolition list. And I was told today from our Building Department that we do not have a demolition list in theory... we only have a demolition list in theory. And I hope that's not true, because when we... as a council person even if there's not no money we still got to put... process this, and then when money becomes available be able to address this. Prior to us having NIP funds, prior to us having the CDBG funds, we had a demolition list, and I'm hoping that we can continue that going forward. If anybody would like to respond to that, I'd appreciate it. Thank you.

MINUTES OF THE MEETING AUGUST 10, 2015

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT PRO TEM MORRIS: Deputy Mayor.

DEPUTY MAYOR WILLIAMS: Members of Council, Member West, what we've created is a nuisance property list. We keep that list as an ongoing list that continues to grow, unfortunately. We transfer properties from the nuisance property list to the demo list when we have money to fund the demolition, and we did that because there were numerous complaints by this body, why do we have a demolition list if we don't have money to tear the properties down. It gave out a false representation. So we made that change over a year ago where we have a nuisance property list and we have a list of properties that are slated for demolition when funding is available. We also send those lists to Council every Friday. Every Friday they're updated. Thank you.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM MORRIS: Member West.

MEMBER WEST: The only list that I don't get is the nuisance list, and I think that's what you're referring to is... that's what I'm referring to as a demolition list because my understanding is even with the foreclosure funding, if we have a house that has been foreclosed on it may not be funded by the NIP or it may not be funded by the CDBG, but then it should be funded by the foreclosure funding. And, but we won't know that if we don't get that list. Now, I don't get that nuisance list, I'm pretty certain of that.

DEPUTY MAYOR WILLIAMS: You'll have it by the morning.

MEMBER WEST: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Hawk.

MEMBER HAWK: Thank you. With all the frustrations with demolitions and nuisance properties, several years ago we passed a piece of legislation through this Council that required houses on the demolition list for anybody who was gonna purchase them, use them, or put them to another use, to post a bond. And that bond was raised from \$2500.00 to \$5000.00. Now the first year that was in effect I think we rehabbed 52 or 54 houses, I'll say 52, because we had them post a bond. And the ordinance was very simple. It said you post a bond, and it gives you 90 days to put the house into service, come to the Board of Building Appeals and get one, and only one, 30 day extension. In other words in 120 days you had the house back in service or we revoked your bond and tore the house down with your own money. So that certainly took a lot of restraints off of things. Now, the tenants and the landlord association's group got together and they found the loophole and the way around it. And it's a valid one and I'm glad it's in place. It protects people's rights. They can now go to the Court and get a stay on that demolition and not post the bond. And that frustrates the heck out of our Law Department and our Building Board of Appeals. But I think what we need to do is we take a look at... I'm certain the stay is limited. I don't think it's granted indefinitely. I'm certain the judges put a time line on it. What we need to do is then begin following up once the stay is placed and force these slum lords or these people who are taking advantage of some of this low cost in housing and turning them over, and again, everybody can make a dollar, I'm fine with that, but to post that bond. And once we find out that we got that bond posted, I think that we will again be rehabilitating houses which was the goal of the original ordinance cause I wrote it.

MINUTES OF THE MEETING AUGUST 10, 2015

Cause I'm passionate about neighborhoods. But I think we need to take a look at the thing that says once the stay is undone, it then goes to the Board of Building Appeals where they must post that bond or we will drop the house. Now, you know, and that puts them... money out of their pocket. It works. It goes in line with Mr. Fisher's excellent ordinance where we were told we couldn't get the \$10,000.00 bond on the foreclosures, but Kevin put that in effect and that saved our neighborhoods. So we need to get together and look at this, but once again, I'll ask the Law Department. I believe that the stay is a limited time, and once it comes off then we must invoke the ordinance that this Council passed. Thank you.

PRESIDENT PRO TEM MORRIS: Mayor Healy.

MAYOR HEALY: Thank you, Mr. President, and thank you, Councilman West, for recognizing the City's employees and this past week and a half or so. I just want to tell you that as the Mayor I am involved in a number of the events, if not all of them, and have the privilege to... to be everywhere and welcome the guests to our City and it's... it's a great experience. But, this year's Hall of Fame events, and I think being... it goes for everything from... from the Chamber events, the City's, the Hall of Fame, the games and everything, they were, I think, some of the most spectacular events that we've ever seen. Certainly, in the eight years that I've been here this is by far the biggest and most exciting events that we've had. We had more people in town than ever. The... the Aerosmith concert brought in another different group of people. We had three different events at the stadium where there was over 20,000 people at three different events. Uh, it was an amazing experience for, not only for the local folks here, but also for the people from out of town that came to visit Canton and Stark County. We heard over and over again, and we heard every speaker thank the 4500 volunteers, many of which are from Canton, but obviously from all over Stark County. And it's an amazing feat to have that many people step up in the community to do that. But the City workers in virtually every department had risen to the highest levels we've ever seen. I've had the President of the Chamber had... had mentioned to me multiple times how he thought this was the best the City has looked, the best everything had been from... from the grass cutting to the street preparation to the bleachers going up, the safety patrols, police and fire, and the demands for our safety forces is higher than ever because of what's happening out in the world with the attacks and threats and things for events like this. I want to tell you that our police and fire department, and all of our departments, street, sanitation, everybody did an unbelievable job this year, and I couldn't be more proud to represent the City and represent all these workers when we were at those places, but it really was because of the 1000 employees or 900 employees that we have that we were able to step up and do that. So, I just want to make sure that every employee knows, and the Council Members know how hard and how special this particular Hall of Fame event was and how great a job our teams did. So, thank you.

MEMBER HART: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Hart.

MEMBER HART: Um, you know, just for the Arkows, behind First Friends Church there is the, I guess for lack of a better term, low wet area that possibly could be used for retention basin. Uh, you know, there are solutions to problems, and when proper plans are drawn, you know, you can have funding whether it's in public works... Uh, you know, for years we had problems off of 25th and Market and the retention basin was put in there which really helped solve it, but the... you know, again as Member Smuckler said, you know, we build and we've overpaid, and when we get heavy rains, you know, there's really no place for the water to go thus we have those problems, so I think again when we do allow building and development we need to mandate, you know, some time... type of retention basin just to hold the water back cause, you know, we all want to see development, but

MINUTES OF THE MEETING AUGUST 10, 2015

we also need to see good development done, and we don't want to create problems for, you know, other residences or businesses, so we need to look at that. And, kind of on the lighter side I had a great two weeks in Scotland and it... it was amazing to me how far behind we are in terms of alternative energy. You know, I see solar panels on houses, new and old, and when I mean old houses I'm talking old houses there, which are probably hundreds and hundreds of years old. And it was interesting when people asked me, oh, you know, because of my accent, where I'm from, I said, you know, Canton, Ohio, and it... it really made me realize to a certain extent how we're not, you know, outside of Europe they go like well, where's Ohio? And I mention well, we're, you know, great City, Timken Roller Bearing, all these different companies, and also the Professional Football Hall of Fame. And soon as I mention football they think it has something to do with soccer, and I'm, you know, I kid them and go no, the real football that real men play, and it was just something that I thought I think we miss an opportunity because, you know, I talk to these people and they've been over to this country and they seem to want to go every place else but Ohio. And, you know, for the state and local communities I think, you know, a lost opportunity there cause when you tell them what, you know, American football they kinda look, h-mmm, I guess that would be kinda, you know, interesting to go see. And I said well if you're ever in the country, you know, and you want... you come through Ohio, you know, I gave them my card and said look me up. And I know Member Smuckler would be more than happy to take them out to dinner too. *(Laughter)* But when I look at that...

MEMBER SMUCKLER: With your wallet.

MEMBER HART: Okay. When I find it. But, you know, again... yeah, a great trip and it really surprised me talking to those people how, you know, when it comes to Canton and at least the Football Hall of Fame they're... they really don't know. And it's just a good opportunity for us to look abroad and get more visitors coming here from other places.

PRESIDENT PRO TEM MORRIS: Mayor.

MAYOR HEALY: Thank you, Mr. President. I got a question for Member Smuckler. I think he might know the answer to this. If not, maybe he can help me find it. The... uh, the issue that we have with the... the couple here in the front row up by 55th, Market areas, we keep talking about, you know, the City allowed building without potential proper draining and stuff. When was the... um, the construction done or the building permits issued on the areas that we're talking about? Is this... do you know how... when that was done?

MEMBER SMUCKLER: I do not know all of them, but I know there's been building done since we've annexed this property. Well, I believe that... I know the property of Mrs. Turkeltaub was annexed in 1968 and there's been building done in those homes... I mean, the church across the street where you live was done post 1968.

MAYOR HEALY: Yeah. No, I understand that. My... my question was is this something that's been done the last 5 years, 10 years, 15... when was this...

MEMBER SMUCKLER: No, most of it... if you're trying to get me to say this was this Administration, the...

MAYOR HEALY: No, no, no. I'm just curious of... of the issues... I... yeah... yeah, it would be nice, but I want to know when was the... the issues or the permits granted and the building done that caused the problem?

MEMBER SMUCKLER: I can't... there you go.

MINUTES OF THE MEETING AUGUST 10, 2015

MAYOR HEALY: 25 years ago? So we've been dealing with this for 25 years? Okay. That's what I was trying to find out.

MEMBER SMUCKLER: Okay.

MAYOR HEALY: Thank you so much. Appreciate that.

MEMBER MACK: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Mack.

MEMBER MACK: Yeah. I'll be happy to also talk about some of the water run off issues. I mean, this is an issue that we live in northern Canton every single year, every single week. When, you know, when you talk about some of the... the issues that are affecting different parts of the City, my ward, Dave's ward, and Chris' ward to a certain extent, this is a significant problem. And we talk about it frequently. Here's the great thing about this problem. To address it costs millions, so we can, you know, get upset and scream about it, you know, you should do something, you should do this, you should do this. We have... we have to pay for it. Mr. Arkow's problem, and I've been out there twice, that problem alone will be hundreds of thousands of dollars to fix correctly. What happened was when northern Canton was annexed into our City many of these residents, and I've met them myself, were promised in exchange for annexing into the City, they will be provided curbs and they will be provided storm sewers. We were happy to annex them in. We did not follow through on our end of the deal. And this was decades ago. And we're still dealing with it. There are toilets that explode with waste in northern Canton frequently. There are ways to begin to address this, and we've done slowly. But we're gonna have to pay for it, and one way that we're looking at doing this to deal with the situation like Mr. Arkow's and the hundreds of residents just like the Arkow family in my ward. When you go back behind the middle school it's... it's just as bad. Our Engineering Department, and I'm certainly completely behind this, is looking at a water run off utility. It would function similar to the Muskingham Water Shed, and to where we would begin to chip away at some of this horrible infrastruc... or non existent infrastructure and some of the decaying infrastructure in some of your other wards that need to be addressed too. So I completely agree with Mr. Smuckler's comments, Mr. Hart's comments, everyone's comments here. We need to take this seriously. Understand we're gonna have to pay for it. But it's one thing to say it and one thing to do it, and so there's gonna be a time when a lot of us are gonna ask you to authorize us to begin to pay for it, for these people to pay for it. But if we're gonna be serious about it and we're gonna do it, it's the only thing we can do. So I agree with everyone's comments here. I'm just as frustrated as every one of you, but we definitely have a lot more to do.

MEMBER SMUCKLER: Mr. President.

PRESIDENT PRO TEM MORRIS: Mr. Smuckler.

MEMBER SMUCKLER: My point being also is that in the near future till we grip this let's really take a serious look at what we're handing out permits for. I had this fight about the church across the street on Market Avenue because we were told there would be no encroachment on those wetlands. Mr. Mayor, look at the overhead air picture of what the wetlands looked like 15 years ago versus what they look like now. And they're... and you know as well as I do, you live near there, there's been a tremendous encroachment in those wetlands, and the answer I get from the Engineering Office is what do you want us to do about it now? Tell them to go dig it back

MINUTES OF THE MEETING AUGUST 10, 2015

out? Well we're not prosecuting anybody for doing it. It's a slap on the hand and move on, and so the people suffer because of it. And I'm not opposed to development, but I am opposed to development at the cost of the people who have spent their money here on tax dollars. We should be doing this in a way that represents the whole city, and I've lived with this for years, and it's not this Administration. I can tell you at 55th and Market where the water tower was, when Sam Purses was mayor we almost made that mistake again because those people were promised street lights, water lines, sewers, curbs, gutters, and we had people in Ward 4 and Ward 6 that hadn't even gotten that stuff. And Dave and myself and some other people went and marched door to door out there and said no, you're not getting that, you're getting water, period. And then all of a sudden we didn't have enough signatures for the annexation. You can't keep taking this stuff on and expect that down the road somebody else is gonna fund it. That's the problem. We keep kicking the football down the field. And I went to that meeting that was at the church and told them that encroachment would never last by the church, and it hasn't, and we do nothing.

MEMBER WEST: Mr. Chairman.

PRESIDENT PRO TEM MORRIS: Member West.

MEMBER WEST: Thinking back when we had this discussion about water runoff, my understanding is there's a lot of water coming from North Canton because of the... a lot of the new development they had going on too. Is that not correct? And if that... is that part of the problem as well? I mean, please. Somebody, anybody.

MEMBER SMUCKLER: Yes. Monti... Monticello was one of the problems with that. Montabella's one of the problems with that.

MEMBER WEST: And... and if my memory serves me correct, I know one of the first steps we made was doing the development off of... up on 30th or there was a big, I want to say retention basin? Am I saying that correct? To be able to address some of the water runoff coming to town, and that's not correct, is it? Or it's...

MEMBER MACK: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Mack.

MEMBER MACK: Yeah. Um, we have several drainage basins up in that area, so there's one right by Monticello, there's one within Monticello, there's one back off of 49th Street by Cleveland. There is a retention basin by design just south of that church there. There's a lot of factors that... going into this, but the biggest one we... that I can tell, I've become very familiar with this. We don't have the pipes installed to move the water once it's there. When you go into many, many parts of this part of the City the pipes are either insufficient because they were built before the City was even there to have City standards, or there are no curbs, it's just the road ends at the grass. Some people have ditches, some don't. Basins are definitely a part of it. You know, once we build the curbs and put the pipes in we have to have that water go somewhere, like on 41st Street we have a big basin there. Definitely a part of it, but this is a huge, huge, huge issue. The project on 41st Street, I think there's 27 phases. We've done 3, and each block costs a million dollars. So, basins are defin... you're absolutely right, there definitely a part of it, but there's a lot of work to do on top of them, so...

MEMBER WEST: Mr. President.

MINUTES OF THE MEETING AUGUST 10, 2015

PRESIDENT PRO TEM MORRIS: Member West.

MEMBER WEST: So there's a plan in place, and we just need to be able to start looking at the plan and funding it, is that correct?

MEMBER MACK: In some of the areas, yeah.

PRESIDENT PRO TEM MORRIS: Massillon has also reached out and put this more or... anyway you slice it it's a tax for the water runoff, but we have the same problem in Ward 9 up in Market Heights. We come in, we will patch the asphalt, and we get hit with a bad storm and it washes everything away. So, I mean, it... it's definitely a problem that's affecting multiple wards on the north end of the City. Member Mariol?

MEMBER WEST: One more quick question, so let me... and maybe anybody can answer this. Um, the water runoff from Ward 8 then comes through Nimishillen Creek and then it floods down in Ward 2.

PRESIDENT PRO TEM MORRIS: Yeah.

MEMBER WEST: Is that correct?

PRESIDENT PRO TEM MORRIS: Yeah. It's good clean water from up north though.

MEMBER WEST: And if you look at, you know, Jessie... Jessie back there he will attest to his building getting collapsed, so it's a major problem that we have to address throughout the City, and I think it's one thing that us sit down and look at the plan that is going on in Ward 8 and all the wards around drainage and water and coming up with a plan.

PRESIDENT PRO TEM MORRIS: Mayor.

MAYOR HEALY: Yeah, this is... uh, this goes back to a couple things. I know there were a number of different problems for flooding throughout the City. Georgeview Estate was one that... that we had a constant problem there because when they developed they didn't lay it out prop... or engineers and street folks went down there, and that was one of the ones we addressed a few years ago and I think we resolved that issue. And I think there was some in the 34th or 37th Street area where we put some drainage areas in, and we're constantly working on that. As you guys heard today during the work session, you know, the... the addition to the water and sewer lines up in Faircrest, we... you know, that was another promise made in the past that we're trying to (*inaudible*). So that is almost complete now, and you heard that that's another multi million dollar investment that we've taken care of. We've got, obviously this area on fif... or thir... North Market to 52nd, 53rd, that area. There's areas around the City that we continue to address when... when we have the flooding issues and of course the drainage and other issues. Um, and... and like Mack said it's... it's... Councilman Mack said, it's about funding, and you have limited resources and each year you try to address one, then move on to the next one, the next one. So, you know, this Council will determine what our priorities are along with the... with the collaboration with the Administration, and obviously this is one that... that we need to move up the list to figure out what to do with. Um, but I would tell you that the Comprehensive Plan, you know, one of the things that's part of this plan and that will come with this, and this is exciting is because it will come with a complete overlay of zoning and code throughout our City to address what the code and zoning should be from the start. For 50 years or longer this City has been doing spot zoning, and it allows people to make changes on lot by lot basis which allows

MINUTES OF THE MEETING AUGUST 10, 2015

them to put a big project in the middle of a neighborhood and so on because they just change zoning for that spot and move on. The Comprehensive Plan will create more consistency and make it more difficult for these types of things to happen in the future, and so that's a big part of what's coming with the Comprehensive Plan. That's... that's gonna be around here pretty soon, so just another benefit of what we've been working on in Planning, so thank you.

MEMBER MARIOL: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Mariol.

MEMBER MARIOL: I know we're having a work session next Monday, 5:30, to discuss the collections. Maybe we can add the water runoff storm sewer utility line item to that agenda.

PRESIDENT PRO TEM MORRIS: I think that'd be a great idea considering there's a \$192,000.00 to start addressing the problem with. Member Hawk.

MEMBER HAWK: Quick question if... I guess entered my mind. We were all taxed to cover the Muskingham Watershed District. I believe we all get it in our bill and it's one of the ways it don't get waived, everybody pays it. And, if I'm not mistaken, again I could be very wrong here. There was an excess in that... in that Muskingham Watershed taxes that they collected more than they thought they would. It came in at a better rate than they anticipated. Well, I guess my question is this. If it was there in the Muskingham Watershed and we're all taxed for it, it was there to address flooding and alleviate flooding and be responsible for this, wouldn't it behoove us to at least sit down and talk with them and ask them the simple question, can we have some of your money back? Now, it might not be, you know... but if we don't ask, we'll never get it. But it's... it's a thought worth entertaining because we are already taxed for it, so just... let's sit down with them and see what they've got. What's the worst thing they can tell us is no. I mean, they've got money, we've got a problem, it's flooding, we're paying for it, let's fix it. Thanks.

PRESIDENT PRO TEM MORRIS: Member Hart.

MEMBER HART: Just one other quick comment. Um, when you look at, you know, some Nimisila, I... I think that... some of that comes under the jurisdiction of the... uh, the Army Corp of Engineers. Also, when it comes to Muskingham they reaped a huge (*mic off, inaudible*)... And, they certainly are not very poor at this time. So, now would be probably an excellent time to say (*inaudible*)... proper plans (*inaudible*)... money. And again if it's (*inaudible*)... funding (*inaudible*). Okay.

MEMBER MACK: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Mack.

MEMBER MACK: And... and Service Director, because Chris Barnes in Engineering is really the guy on top of this stuff, could you... hopefully you'll be able to be there at our work session. Maybe could you reach out to Chris and see if he has availability.

SERVICE DIRECTOR BARTOS: Mr. President. Sure, sure will. And just to Member Hawk's comments, we... we do regularly talk to Muskingham Watershed about whatever we can get to deal with this issue, so, so

MINUTES OF THE MEETING AUGUST 10, 2015

far haven't been as lucky as we... we would have liked, but we can continue those conversation again, so...

PRESIDENT PRO TEM MORRIS: Member West.

MEMBER WEST: Just my final comment. With... we had the Army Corp of Engineers down there at Nimishillen Creek. We had the Engineers down there and they put it back on us, so...

MAYOR HEALY: Mr. President, just follow up on the Army Corp.

?: Thank you. Thank you.

PRESIDENT PRO TEM MORRIS: I... I want to forewarn you though that the Clerk did inform me that as President, since I'm tired, I can end this thing just about whenever I want, so (*laughter*), please be brief.

MAYOR HEALY: We could have been done if you didn't give that speech. (*Laughter*) Actually, the Army Corp of Engineers' responsible for the waterways, pretty much everything south of the Akron Canton Airport down in that... in that quarter section of the state, which includes the Dover Dam and all the... the waterways. There's multiple dams through there, and those dams have not been maintained and updated for I'm gonna say a century, but it's been decades. And the money that they're collecting is supposed to be covering those repairs, and they don't have no money for that. So we can continue to ask and we certainly will, and we'll put it in writing and, you know, knock on the door and bang and see what we can get. But, I... I can tell you that they're still crying that even though they're collecting more than they expected it's still not anywhere near what they need because they're decades behind on infrastructure. That stuff goes back to FDR and the public works, and there's never been any type of... of financial resources to maintain those things since then, and that... that's what they're dealing with and I've already had those conversations, so I'll just share that with you. Thank you.

PRESIDENT PRO TEM MORRIS: Thank you, Mayor. Leader.

MEMBER SMITH: (*Inaudible*) Meeting adjourned.

CLERK TIMBERLAKE: Morris. Morris.

PRESIDENT PRO TEM MORRIS: She did not make a motion.

CLERK TIMBERLAKE: Oh, I'm sorry.

MEMBER SMITH: He seconded it.

PRESIDENT PRO TEM MORRIS: He seconded it?

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Meeting adjourned. (*Gavel falls*).

MINUTES OF THE MEETING AUGUST 10, 2015

ADJOURNMENT TIME: 8:42 P.M.

ATTEST:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED:

FRANK MORRIS
PRESIDENT PRO TEM