

MINUTES OF THE MEETING SEPTEMBER 14, 2015

PRESIDENT SCHULMAN: Good evening, ladies and gentlemen. Welcome to Canton City Council. We appreciate you all coming down this evening on this beautiful Fall evening. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER MARIOL ABSENT)

CLERK TIMBERLAKE: Eleven present, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Leader Morris.

MEMBER MORRIS: Mr. President, I move we excuse Member Mariol from this evening's meeting.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you excuse Member Mariol from this evening's meeting. Any remarks? Just let the record show that Member Mariol is out of town on business this evening. He regrets obviously not being here. Hearing no other remarks, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries and Member Mariol is excused from this evening's meeting. Tonight's invocation will be given by my good friend and Ward 3 Council Member, Jim Griffin. If you'll all stand though and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on September 14, 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 Ward 3 Council Member, Jim Griffin. The Pledge of Allegiance led by President Schulman.

PRESIDENT SCHULMAN: Thank you, Member Griffin.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We're now under Agenda Corrections and Changes. Leader Morris.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #13 through and including #15.

MEMBER SMITH: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 13 through 15 to this evening's agenda. Are there any remarks? Hearing none, again Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: Turning to Public Hearings. We have none this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: We now turn to Old Business, and I've been informed by our Deputy Mayor, Fonda Williams, that there is no Old Business.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks. We do have six speakers this evening. Our first is Louis Shurman. Mr. Shurman. I think he's not here tonight. Uh, our next speaker is Susan Tomsello-Bennett. Good evening, ma'am. Welcome. If you'll step forward and... to the microphone, please, and if you'll give us your name and your residential address. And welcome to Canton City Council.

SUSAN TOMSELLO-BENNETT: I'm Susan Tomsello-Bennett. I live at 1258 Ardmore Ave SW, Canton, Ohio 44710.

PRESIDENT SCHULMAN: Good evening.

SUSAN TOMSELLO-BENNETT: Good evening. I have a very big problem in Canton. Uh, the house next to me sits at the corner of 13th and Ardmore. I've had Mr. Smuckler and Hawk and another gentleman out. And, he put a fence up, he's too close to the alley. In the wintertime I will not be able to see to come out of my garage. I will not have no clearance. I don't have clearance now, but in the wintertime it's gonna be really hard to get in and out of my garage. He's got it too close to the alley. It's a wooden fence, stands approximately ten foot high, and he's about one and a half inches away because I had a chain link fence put up, and I went by a fencing company to have this done. He's very upset with me about it. He came out. He blew up with me several more times since they've been out, and also I had the police called on me August 1st saying that I removed his survey pin. He has one survey pin. I had this property surveyed twice, my property. I've got two chain links, like I said. The second one I had put up on the 25th of August, and it's 96 foot, goes right down between the two properties. It stands four foot high. It's legal. But his is just too high. He's also got a building that has no foundation under it. And it's as big as an oversized one car garage. I have the pictures of the fencing. I took those. But now he's got signs up saying keep out, private property, no trespassing, facing me. And now he's got also cameras up. He said he's watching my home. And I'd like to get something done about this.

PRESIDENT SCHULMAN: Okay. Thank you very much, ma'am. We appreciate your coming down.

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SUSAN TOMSELLO-BENNETT: Have a good evening.

PRESIDENT SCHULMAN: Thank you. You too.

MEMBER FISHER: Mr. President, I did get... she had some pictures...

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: I gotta copy of those, and I'll take those down to zoning here tomorrow as well. Thank you.

PRESIDENT SCHULMAN: Great. Thank you, Member Fisher, very much. Any other comments? Uh, our next speaker is Dan Sciury. Mr. Sciury is always welcome to Canton City Council. If you'll give us your name and your residential address, please.

DAN SCIURY: My name is Dan Sciury. I reside at 913 Vince Ave NW, Canton, Ohio. I attended last Wednesday's committee meeting that was called by Mr. Smuckler, and I come there that night primarily to listen and then I had to comment because some of the things that I'm hearing that they're attempting to do I think are extremely punitive and discriminatory. This 500% increase that they want to subject all the landlords in the City to is not only discriminatory but it's punitive. And I understand there's a lot of disgruntled people in the City sometimes that are tenants, but I would suggest as I did that night that they direct their punitive action toward the people that are guilty of creating these problems. There are many good landlords in the City, and I pride myself on being one of them. I'd live in any property that I own, and I'd invite any one of you to come and inspect them at any time. It's kind of ironic. Some of the problems we're getting confronted with today, I sit in this very chamber with Dan Fonte and a couple other union members almost 20 years ago when I had Councilman Smuckler and a few other councilmen sit there and tell us that this was very helpful if they watered down these codes, and that's exactly what they did. We begged them not to do it, but they insisted that the landlords needed relief because some of them didn't want to be subjected to having to get licensed contractors to do work that they found to be defective in their properties. So they watered down these codes, and guess what? The chickens are coming home to roost. But the most interesting part of that meeting the other night was they're telling me now they're gonna set up a landlord-tenant court. First of all, we don't need to reinvent the wheel. The courts we have in this building work just fine. You pay your money if you have an eviction, you pay your money for the set out. They work just fine. The only problem we have is collecting... is collecting the judgments. That's where you need... that's where we need some help on collecting the judgments. I could probably pay a lot of city bills with the money that's owed to me from past judgments that I'm owed. But I don't think it's right to single out one group of people. You know, it's no different than if you penalize any one of you. There's a lot of business people sitting here. How would you like if they singled out your business and said whatever your license fee is, well we've had some complaints, so we're gonna raise that 500%. How in the hell is that fair in anybody's mind? It simply isn't. And, you know, to do this is wrong. I'm imploring to Council to vote this thing down. It's just plain wrong. If you want to punish bad landlords, go after bad landlords. And I'm gonna tell you the best way to do it, reimplement the codes and the inspections. Of course, they're gonna tell you, oh, but we need... we need money to do this. Well, they had plenty of money to do it back 20 years ago, and we were paying less fees than we're paying today. So, that's what I have to say on this matter, and I hope that, you know, you weigh this thing with what I'm telling you. Discrimination is discrimination, and I don't care how you paint it. Paint it any way you want. Thank you. *(Applause)*

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PRESIDENT SCHULMAN: Thank you, Mr. Sciury, very much. Our next speaker is Marjorie Hymbaugh. Ms. Hymbaugh. I think I'm pronouncing your name right, H-Y-M-B-A-U-G-H. Okay. Our next speaker is Bruce Schorsten. Mr. Schorsten. Somebody must have eaten all our speakers tonight. (*Laughter*) It's a little frightening. Our last speaker, David DeChiara. Alright. Good evening. Welcome to Canton City Council. Sir, if you'll give us your name and your residential address, please.

DAVID DECHIARA: My name is David DeChiara. I reside at 233 Bellflower Ave NW, Canton, Ohio. I find it unacceptable that not one single person in this City can tell us, the general public, exactly how many rental units the City has and how many are not registered. Not the Mayor, not the chief building official, not code enforcement, and not anybody sitting on Council. This is 2015 and computers rules the world. I am willing to bet in 1915 the City had a better idea of what was going on with just pencil and paper. This is a huge failure of the elected officials to do their job. As we are possibly facing a 500% increase in fees to register our units, no one to date has done enough homework to give any facts on how much the code department needs to operate. Bill Smuckler was kind enough to hold a meeting last week that lasted for hours to get input from the landlords. At that meeting the Council President said he will do everything in his power to push for this \$100.00 fee. When questioned about the amount and if it was the correct amount, he arrogantly responded, a fee is \$100.00. This proposal needs to be put on hold until research is done, facts and numbers are given, and new fee numbers are not just pulled out of thin air just because. The last fee increase in 2011 did not do what it was supposed to do as the money was gener... the money generated got mixed into the general fund, which is then hard to tell where the money went to. All the money collected from fees from landlords should stay in the code department. Gary Young, the City Auditor, informed me last year \$375,000.00 was collected just for landlord fees, but it went into the general fund and obviously not used to pay for enough code inspectors. I favored the last increase to help my investments and the neighborhoods, but that did not happen. The exact opposite happened. I can say I'm not in favor of any more increases until elected officials present facts, and correct ones at that. The push to pass this proposal must put... be put on hold. Council, do your homework, present facts and figures, and then let's all reach the same goal, better Canton neighborhoods. You all will be receiving an e-mail tomorrow with information on a meeting between the Ohio Real Estate Investors Association and the Stark County Investors. This meeting will be this Thursday from 6:00 to 8:00 P.M. The meeting will discuss the City's proposed fees and how other cities have addressed similar issues. Thank you. (*Applause*)

PRESIDENT SCHULMAN: Thank you, sir, very much for coming down. And that concludes our Public Speaks. I'm sorry our other speakers weren't here to present their views.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We now turn to Informal Resolutions of which we have two this evening. And they're both sponsored by my good friend, the Assistant Majority Leader, Chris Smith. Madame Clerk, would you please begin with Informal Resolution 31.

#31. COUNCIL MEMBER SMITH, WARD 4: A RESOLUTION HONORING THE EFFORTS OF GEORGE SMITH BY HONORARILY NAMING 2ND ST. SE FROM HARTFORD AVE. SE TO WARNER RD. SE, THROUGH THE PLACEMENT OF INFORMATIONAL SIGNS LABELED "MR. G'S AVE. SE". - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #31.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution #31. Any remarks?

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER SMITH: I would hope that... (*inaudible*)... support this... (*inaudible*).

PRESIDENT SCHULMAN: Great. Thank you very much, Member Smith. Any other remarks? Hearing none, by voice vote, all those in favor of Informal Resolution 31 signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION 31 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries and the Resolution is adopted. We now turn to Informal Resolution 32, please, Madame Clerk.

#32. COUNCIL MEMBER SMITH, WARD 4: A RESOLUTION HONORING THE EFFORTS OF PASTOR GEORGE DUNWOODY BY HONORARILY NAMING 3RD ST. SE TO THE END OF HARTFORD AVE. SE, THROUGH THE PLACEMENT OF INFORMATIONAL SIGNS LABELED "GEORGE DUNWOODY AVE. SE". - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #32.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 32. Assistant Majority Leader Smith, would you like to make a comment on this?

MEMBER SMITH: Yes. (*Inaudible*)... the City... (*inaudible*)... Pastor Dunwoody... (*inaudible*)... served at Hartford School for over 27 years... (*inaudible*)... pastors of the City... (*inaudible*)... and he also took care of ... (*inaudible*)... which is also deserving... (*inaudible*).

PRESIDENT SCHULMAN: Great. Thank you very much. Any other remarks?

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Fisher.

MEMBER FISHER: I just wanted to compliment Assistant Leader Smith on both of these Resolutions. I think that both are very deserving of the honor.

PRESIDENT SCHULMAN: Thank you very much. Any other remarks? Hearing none, all those in favor, by

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voice vote, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION 32 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries, and Informal Resolution 32 is adopted.

COMMUNICATIONS

PRESIDENT SCHULMAN: We now turn 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 SEPTEMBER 14, 2015.

320. AUDITOR MALLONN: MTHLY REPORT BY FUND FOR 8/1/15 THRU 8/31/15. - RECEIVED & FILED
321. AUDITOR MALLONN: YRLY REPORT BY FUND FOR 1/1/15 THRU 8/31/15. - RECEIVED & FILED
322. AUDITOR MALLONN: REQ LEGISLATION PROVIDING FOR AMENDMENT TO O#100/2011 EXHIBIT A REG SALARY RANGES FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL UNDER JURIS OF AUDITOR; REQ AUTHORIZATION TO MOVE 4 EMPLOYEES TO SALARIES OUTLINED; REQ TEMP INCREASE IN NUMBER OF CHIEF DEPUTY AUDITORS FROM ONE TO TWO FOR PERIOD NOT TO EXCEED 60 DAYS AND PROVIDE IT DOESN'T EXTEND BEYOND 12/31/15. - PERSONNEL COMMITTEE
323. COMM DEV DIRECTOR MILLER: ESTABLISH FAIR REUSE VALUE OF PARCEL OF REAL PROP & AUTHORIZE DISPOSITION (PARCEL 02-84893 LOCATED ON 3RD STREET N.E. - JAMES LEE LEDFORD JR.). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
324. COMM DEV DIRECTOR MILLER: REQ TO WITHDRAW COM #295 FROM 8/24/15 AGENDA. - RECEIVED & FILED
325. COMM DEV DIRECTOR MILLER: REQ SUPP APPROP TO O#266/2014, AS AMENDED, WITH REGARD TO O#19/2015, WHICH AUTHORIZED MAYOR TO FILE 2015 ANNUAL ACTION PLAN WITH HUD AS FOLLOWS: \$437,000.00 SUPP APPROP FR UNAPPROP 2211 506001 COMMUNITY DEVELOPMENT FUND TO 2211 506001 COMMUNITY DEVELOPMENT FUND - OTHER (APPROP REPRESENTS REMAINING BAL OF 2015 CDBG GRANT); \$214,860.00 SUPP APPROP FR UNAPPROP 2219 506001 EMERGENCY SHELTER GRANT FUND TO 2219 506001 EMERGENCY SHELTER GRANT FUND - OTHER (APPROP REPRESENTS AN INCREASE OVER ORIGINAL BUDGET PROJ). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
326. COMM DEV DIRECTOR MILLER: REQ SUPP APPROP TO O#266/2014, AS AMENDED, WITH

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REGARD TO O#69/2014, WHICH AUTHORIZED MAYOR TO MAKE APPLICATION AND ACCEPT FUNDS FROM OHIO HOUSING FINANCE AGENCY FOR NIP AS FOLLOWS:
\$1,100,000.00 SUPP APPROP FR UNAPPROP 1152 506001 NIP ACQUISITION DEMO DEBT FUND TO 1152 506001 NIP ACQUISITION DEMO DEBT FUND - OTHER - \$1,100,000.00. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

327. COURT ADMIN KOCHERA: REQ LEGISLATION AUTHORIZING MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO DEPT. OF REHAB & CORRECTION (ODR&C) FOR RECEIPT OF FY 2016-2017 PROBATION IMPROVEMENT & INCENTIVE GRANT (PIIG) IN AMT OF \$88,822.00 COMMENCING 10/1/15 THROUGH 6/30/17; AUDITOR TO CREATE PROBATION INCENTIVE GRANT FUND. - FINANCE COMMITTEE
328. DEPUTY MAYOR WILLIAMS: REQ LEGISLATION AUTHORIZING ACCEPT OF FUNDS FROM JOBS OHIO IN AMT OF \$148,215.00 FOR EXPENSES ASSOCIATED WITH PHASE 2 ENVIRONMENTAL ASSESSMENT OF FORMER WEBER DENTAL FACILITY LOCATED AT 2206 13TH ST. NE. - FINANCE COMMITTEE
329. HEALTH COMM ADAMS: REQ TO APPROP TRANSFER OF \$36,000.00 FROM 2323 301001 - OTHER TO 2323 301001 - PERSONNEL; AMEND O#266/2014 (\$16,000.00 FROM UNAPPROP BAL OF FUND 2313 LOCAL HEALTH FUND TO 2313 LOCAL HEALTH FUND - PERSONNEL) TO EXPEDITE PAYMENT OF GRANT AND PAYROLL EXPENSES. - FINANCE COMMITTEE
330. LIQUOR CONTROL DIV (OHIO): REQ TRANSFER OF D1 D3 D3A D6 PERMIT FROM PITUFIN LLC TO GHR LLC @ 4123 TUSCARAWAS ST W (WARD 3). - RECEIVED & FILED
331. LIQUOR CONTROL DIV (OHIO): REQ NEW C1 C2 PERMIT FOR DOLGEN MIDWEST LLC DBA DOLLAR GENERAL STORE 15799 @ 3220 MAHONING RD NE (WARD 6). - RECEIVED & FILED
332. MAYOR HEALY: ADVISING OF APPT OF JULIE SPARKS TO CANTON PARK COMMISSION RETROACTIVE TO 7/10/15 THRU 12/31/15. - RECEIVED & FILED
333. PLANNING COMMISSION: RECOMMEND APPROVAL OF REPLAT OF LOTS 36904 AND 36905 AND PART OF LOT 36930 LOCATED AT 804 44TH ST NW (WARD 8). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
334. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO RECEIVE AND APPROP GRANT FROM OHIO DEPT. OF PUBLIC SAFETY; AUTHORIZE AUDITOR TO CREATE FUND TO PLACE GRANT MONEY UPON RECEIPT TO BE USED BY POLICE DEPT. (IMPAIRED DRIVING ENFORCEMENT FFY 2016 GRANT #IDEP-2016-76-00-00-00317-00 IN AMT OF \$23,815.92). - FINANCE COMMITTEE
335. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO RECEIVE AND APPROP GRANT FROM OHIO DEPT. OF PUBLIC SAFETY; AUTHORIZE AUDITOR TO CREATE FUND TO PLACE GRANT MONEY UPON RECEIPT TO BE USED BY POLICE DEPT. (SELECTIVE TRAFFIC ENFORCEMENT PROGRAM FFY 2016 GRANT #STEP-2016-76-00-00-

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00454 IN AMT OF \$17,738.03). - FINANCE COMMITTEE

336. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR AUGUST, 2015. - RECEIVED & FILED
337. TREASURER PEREZ: RPT OF AMBULANCE LOCK BOX ACCT FOR AUGUST, 2015. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: And we now start with First Reading Ordinances and Formal Resolutions for their First Reading. Madame Clerk, will you please begin (*coughs*), excuse me, with Ordinance #1.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #12 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1 (1ST RDG) AN ORDINANCE AMENDING SECTION 917.05, TREES TO BE REMOVED AND/OR PRUNED ALONG PUBLIC WAYS, OF THE CODIFIED ORDINANCES.
Referred to Judiciary Committee
- #2 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB RETENTION TAX INCENTIVE AGREEMENT WITH DAY KETTERER LAW FIRM PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY (TO RETAIN APPROX 45 EMPLOYEES)
Referred to Community & Economic Development Committee
- #3 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH BALL METAL FOOD CONTAINER LLC TO PROVIDE A REAL PROPERTY TAX EXEMPTION; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON CITY SCHOOL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82(C) OF THE REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #4 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH HISTORIC BLISS LLC TO PROVIDE REAL PROPERTY TAX EXEMPTIONS FOR PARCEL NUMBERS 209886, 243353 AND 244732 IN THE CANTON CENTRAL NEIGHBORHOODS COMMUNITY REINVESTMENT AREA; AUTHORIZING THE GRANTING OF TEN YEAR REAL PROPERTY TAX EXEMPTIONS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #5 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN

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ENTERPRISE ZONE AGREEMENT WITH LAKEBROOK PROPERTIES LLC TO PROVIDE A REAL PROPERTY TAX EXEMPTION; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON CITY SCHOOL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82(C) OF THE REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

- #6 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE A GRANT IN AMOUNT NOT TO EXCEED \$175,000.00 FOR ECONOMIC AND CIVIC DEVELOPMENT OF THE CITY; AMENDING ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE EMERGENCY (APPROP TRANS OF \$175,000.00 FR 1001 506601 CIC EXPENSES - OTHER TO 1001 506001 COMMUNITY DEVELOPMENT ADMIN. - OTHER)
Referred to Finance Committee
- #7 (1ST RDG) AN ORDINANCE VACATING A PORTION OF FARWICK COURT N.W.; AND DECLARING THE SAME TO BE AN EMERGENCY (ROBERT KNIGHT)
Referred to Public Safety & Thoroughfares Committee
- #8 (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PART OF LOTS 13830 AND 13831; AND DECLARING THE SAME TO BE AN EMERGENCY (JOHN & TRACY CROSBY @ 1701 EDWARDS AVE NE)
Referred to Public Safety & Thoroughfares Committee
- #9 (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 AM EMERGENCY (3660 GREENTREE AVENUE S.W. (NEW DAWN DEVELOPMENT) FROM B-3 (GENERAL BUSINESS) TO PCS (PLANNED COMMUNITY SERVICE, WARD 4)
Referred to Judiciary Committee
- #10 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FOUR YEAR PROFESSIONAL SERVICES CONTRACT WITH ACLARA TECHNOLOGIES FOR MAINTENANCE OF THE CITY OF CANTON'S AUTOMATED METER READING SYSTEM; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$17,353.80 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207003 WATER BILLING - OTHER; \$11,569.20 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 207003 SEWER BILLING - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS
Referred to Finance Committee

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(COUNCIL RECESSED AT 7:50 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #11; RECONVENED AT 7:54 P.M.)

#11 (1ST RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 171/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,125,000.00 SUPP APPROP FR UNAPPROP BAL 6017 HEALTH & LIFE INSURANCE TO 6017 201001 SERVICE DIRECTOR ADMIN - OTHER; \$1,320,000.00 FR UNAPPROP BAL 7509 VACANT/FORECLOSURE DEPOSITORY FD TO 7509 505010 FAIR HOUSING DEPT - OTHER; \$38,866.14 APPROP REDUCTION FR 2155 104040 TRAFFIC ENG/PARKING METER TO UNAPPROP BAL 2155 PARKING DECK FUND; \$50,000.00 APPROP TRANSFER FR 1001 101501 CODE ENFORCEMENT, \$10,000.00 APPROP TRF FR 1001 204010 BUILDING MAINT TO 1001 202210 STREET MAINTENANCE; \$15,000.00 APPROP TRF FROM 1001 601001 COUNCIL ADMIN TO 1001 601001 COUNCIL ADMIN - OTHER)
Referred to Finance Committee

PRESIDENT SCHULMAN: At this time... That is referred to the Finance Committee, and at this time the chair would declare an in house recess for the Finance Committee to meet in regard to Ordinance #11 on your agenda. You're now in recess. Chairman Hawk.

PRESIDENT SCHULMAN: Thank you, Chairman Hawk. Council will reconvene after its recess. Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinance #11 back on this evening's agenda.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance #11 back on your agenda this evening. Are there any remarks? Hearing none, again Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. The motion carries. Ordinance 11 is a legal part of your agenda. Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules for Ordinance 11.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 11. Any remarks? Again hearing none, again Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. The motion carries. Leader, you've heard the three readings.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #11.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #11. Any remarks under this Ordinance? Leader.

MEMBER MORRIS: Mr. President, I move we amend Ordinance #11 per a copy that all Council Members have in front of them.

MEMBER SMITH: Second.

AMENDMENT*Pursuant to Rule 36, I move to amend Agenda Item No. 11 by substitution of the attached revised exhibit for the original proposed exhibit.*

PRESIDENT SCHULMAN: And it's been moved and seconded to amend Ordinance #11 with respect to the copy before each Member of Council. Any remarks under that motion? Hearing none, by voice vote, all those in favor to amend signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #11, as amended.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #11, as amended. Any remarks under 11, as amended? Again hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#11 ADOPTED AS AMENDED AS ORDINANCE NO. 171/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance #11 as amended has been adopted.

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Ordinance #12, please.

(COUNCIL RECESSED AT 8:00 P.M. FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #12; RECONVENED AT 8:03 P.M.)

#12 (1ST RDG) **ADOPTED AS ORDINANCE NO. 172/2015** AN ORDINANCE DECLARING THE 7 BUILDINGS LISTED ON EXHIBIT A TO BE PUBLIC NUISANCES; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE DEMOLITION OF SAID BUILDINGS; AUTHORIZING THE CLERK OF CANTON CITY COUNCIL TO CERTIFY THE COSTS OF DEMOLITION TO THE STARK COUNTY AUDITOR; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

PRESIDENT SCHULMAN: This is referred to Community & Economic Development Committee, and at this time the chair will declare an in house recess for that Committee to meet in regard to Ordinance #12. You're now in recess. Chairman...

CLERK TIMBERLAKE: Smith.

PRESIDENT SCHULMAN: Smith. Thank you.

PRESIDENT SCHULMAN: Thank you very much, Chairman Smith. Good job. We now will reconvene after our recess. Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinance #12 back on this evening's agenda.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance 12 back on 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. The motion carries. Ordinance 12 is a legal part of your agenda. Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #12.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 12. Any remarks? Again 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.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. The motion carries. Leader, you've heard the three readings.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #12. Any remarks under this Ordinance? Again 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. 172/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance #12 is adopted. Ordinance #13, please.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

CLERK TIMBERLAKE: We are now in Second Readings. Ordinance...

PRESIDENT SCHULMAN: Oh, I'm sorry.

CLERK TIMBERLAKE: That's quite alright.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #13 THROUGH ORDINANCE #15 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #15 ADOPTED ON 2ND READING):

- #13. (2ND RDG) AN ORDINANCE AMENDING SECTION 1351.03 OF PART THIRTEEN, BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (REGISTRATION FEES)
- #14. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH GENTLEBROOK, INC. FOR A WATER MAIN EXTENTION WITHIN THE VILLAGE OF HARTVILLE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15. (2ND RDG) **ADOPTED AS ORDINANCE NO. 173/2015** AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY

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PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules for Ordinance #15.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 15. Any remarks? Again hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. The motion carries. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #15.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been and seconded that you adopt Ordinance 15. Any remarks under this Ordinance?

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Fisher.

MEMBER FISHER: Every year when we vote on this I like to take time to thank Alan Harold for firing me from the Auditor's Office since I no longer have to put these on the tax bills. So, that used to be my job. Thank you.

PRESIDENT SCHULMAN: Well, maybe an Informal Resolution next week honoring Auditor Harold.
(*Laughter*)

MEMBER FISHER: Really, I was born a Democrat and that was just the wrong thing to be when the change in elected offices came over, so you can go that way too.

PRESIDENT SCHULMAN: Thank you. 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.

#15 ADOPTED AS ORDINANCE NO. 173/2015

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PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 15 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for their Third, Final Reading and Vote. Would you please begin, Madame clerk, with Ordinance 16.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCE #16 THROUGH ORDINANCE #19 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 174/2015** 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)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 174/2015

PRESIDENT SCHULMAN: Motion carries. Ordinance 16 is adopted. Ordinance 17, please.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 175/2015** 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)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 17. Any remarks under this Ordinance? Again hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 175/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 17 is adopted. Ordinance 18, please.

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 176/2015** 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)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 18. Any remarks under this Ordinance? Again hearing none, Madame Clerk, roll call, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 176/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 18 is adopted. Ordinance 19, please.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 177/2015** 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)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #19. I'm sure we have a number of comments on this Ordinance. Any remarks? 9.58 to 13.10. Okay. Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 177/2015

PRESIDENT SCHULMAN: Ordinance 19 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We now turn to announcement of Committee Meetings.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you, good sir. The Finance Committee will meet Monday, September 21st, at 6:30 P.M.

PRESIDENT SCHULMAN: Thank you. Chairman Smith.

MEMBER SMITH: Mr. President, Community & Economic Development Committee will also meet September 21st at 6:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Oh, Chairman Mack.

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

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Chairman West.

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

PRESIDENT SCHULMAN: Thank you. Any other announcements?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: And now we turn to Miscellaneous Business. Is there any?

MEMBER DOUGHERTY: Mr. President. Over... over here.

PRESIDENT SCHULMAN: Oh, Member Dougherty. Thanks.

MEMBER DOUGHERTY: Just want to remind everyone that Feed the Needy is Saturday, this Saturday coming

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up, so if there's any help you can give on Friday for the setup or Saturday at the event, would appreciate it. Let's not forget the donation. I'll have a collection agency coming after you (*Laughter*) that I'm the CEO and President of. Thank you, Mr. President.

PRESIDENT SCHULMAN: Thank you, and thanks for your hard work, Member Dougherty. You do that every year and it's an enormous success, and it helps a lot of needy people in our community, and we appreciate your dedication to that. Thank you. Member Mack.

MEMBER MACK: Uh, thank you, Mr. President. On Ordinance #13 that we discussed in committee meeting this night, uh, tonight. You know, there were some great points in committee. Member Smuckler, if you want an amendment on the SMHA I'll be happy to help you prepare it, or we can wait for the Law Director to finish their opinion. And, Mr. Hawk, regarding the fund, I didn't mean to step on your toes on that. I'd be willing to do the same thing, or anyone else that wants to see an amendment for that, I'd be happy to help them get that done.

PRESIDENT SCHULMAN: Thank you, Member Mack, very much...

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: And thanks by the way for your hard work on that. We appreciate it.

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Yes, Mayor Healy.

MAYOR HEALY: Thank you. I just want to follow up on that as well. I hear many conversations about money, how much is coming in, where it's coming from, where it's going, we're taking money from the general fund, or from building code, putting it in general fund, using it for other things and not using it for the general fund. Let me just give you the... the stats on this because I keep hearing the same misinformation. Uh, from 2006 to 2010 the Building Code Department had a negative average of \$300,000.00 per year of spending more... \$300,000.00 more per year on average than we took in from that department. In 2011 we made those changes. Now, keep in mind that the Building Code has a number of different revenue streams where the landlord fees are just one portion of that. They have the plumbing and electrical fees that we charge, and permit fees, plans review fees, fines and of course landlord fees on the rentals. So all that is in the Building Department, but that department was losing about \$300,000.00 year which is why we had to make a change. We were in the middle of the recession, there was not enough general fund money. The general fund was subsidizing this department year after year after year. In 2011 we made the changes that we made. We made adjustments in the personnel. And like Member Hawk is requesting, he wants each department to be able to live within their means, and this department has been doing just that. Even without a separate enterprise fund, the ending balance of the money generated from the department to the money that was spent from that department averaged \$17,000.00 in excess, which means we were spending \$17,000.00 less than we took in on average for the three years prior to 2011's change, 2012, '13 and '14. So even if it was in an enterprise fund, we'd of had a \$17,000.00 carryover on average per year. Not enough to hire even a single additional person, but enough to live within our means which is what we indicated we would be doing when we made that change. So, the Auditor is correct. The money does go to the general fund because there's not a separate Building Code Enterprise fund, but we used the amount of money that came in for that department's expenses and tried to make sure that we were living

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within our means and we did so. As Council has requested, add more personnel to that department, we made it very clear that the money that is coming in right now does not cover the ability to hire additional people without us subsidizing it from the general fund like we had done in the past. And Council, as Administration, we're not in that position to take general fund dollars, so the question is, is there other revenue streams and ability to allow us to address that. So, what is the purpose of the additional monies we're trying to generate? The purpose is to use it on the rental property and inspections and so on. So they had devised a plan to take those monies or create those monies from the landlords that they were gonna be inspecting. And so that's how that kinda came about. But, it is absolutely not true that we took money out of that department that was raised and used it to spend on other things. It's being used to spend on that department specifically. So, I hope that clears it up, and Joe DiRuzza, the Finance Director, you confirm that explanation that you shared with me?

FINANCE DIRECTOR DIRUZZA: Yes.

MAYOR HEALY: Thank you, Mr. President.

PRESIDENT SCHULMAN: Thank you, Mayor. Member Smuckler.

MEMBER SMUCKLER: Mr. Mayor, are you for this ordinance then? Are you supporting this ordinance? To hire more inspectors?

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Yeah, I am... I am living within the means. And as Council has understood, if we want to do this we need more money, and this may not be the best way, it may not be... as we talked about with the tax credit reduction in December, we had an argument of whether we should or not and is it fair and is some people being unfairly treated. Every tax you do, every fee you do is gonna treat some people better than others and be unfair to some people as well as others. But the fact of the matter is if Council wants us to have more inspectors we have to generate money, and if the money is gonna be used for inspecting the rental properties, getting the money from the rental companies is... is... is as good a place as any to go for it.

MEMBER SMUCKLER: Yeah, this is your budget.

MAYOR HEALY: Yes, it's...

MEMBER SMUCKLER: Are... are you supporting this?

MAYOR HEALY: Yeah, this is our budget, Councilman. It has... it has...

MEMBER SMUCKLER: And I voted against this one, but...

MAYOR HEALY: (*Laughs*) It doesn't matter. It's still our budget as a city.

MEMBER SMUCKLER: I understand. Are you supporting this?

MAYOR HEALY: I... I... I will support what the majority of Council goes with. If Council wants to move on this I will support it. If Council wants to go against it I will support that. I'm gonna watch and wait and see

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how this plays out, and if they don't come up with these funds I will not be able to hire more people. That's the bottom line.

MEMBER SMUCKLER: Thank you. Mr... Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: I love Public Speaks, but I have a friend in the back of the room that I say that I'm an equal opportunity annoyer. So what that means is, is that by the time this is over I'll probably have both sides angry at me. But I run a business with my family that's a very successful business. We've been doing that, my brother and my sister and myself, for 33 years, so we gotta be doing something right. Well when you do that, you take into consideration all possible revenue. That's what I want to know about. Probably didn't ask it in the right way, but that's what I wanted to know about SMHA. Are they becoming a part of this? Can they become a part of this? Do we want them a part of this other than just hey, this is the way it is, folks, and we're going to lay it on everybody else. That's if the figures are close. That's anywhere from 1200 to 3,000 depending on who you believe. And that's, depending on who you believe, that's \$300,000.00 possibly, and that's what I want to know, if they... if they have that many build... uh, units then that could be the possible of what they could help raise in this... hang on a minute and I'll... You know, Edmond, I respect you for even taking this whole thing on because this is the kind of ordinance that I didn't like in the International Property and Maintenance Code and I didn't support. Now, let me take you back into the '90's, Danny, because I voted to make some of those rules lax. You are entirely correct. But the issue here isn't the interior, the issue's the exterior, and most of which you're talking about was the interior. And I... it's my turn now. And what I have a problem with, and I said this last Wednesday night, every time I get a call and someone asks me to come anywhere, the question I'm always asked is would you live here next to this? And my answer's no, I won't. So if I won't put up with it, why should I let anybody else put up with it? It's the exterior that's the problem because what you do on the interior the neighbors can't see. I said last Wednesday night that Councilman Smith shouldn't have to put with this anymore, and I still mean it. We need those six inspectors. We're now down to one or two depending on who you talk to. I'm done. I can't stand the calls. She can't stand the calls. And all the other ward Council people can't stand the calls anymore. And this has nothing to do with the interior, it's all exterior driven. Now, what that figure should be, what the magic number should be, I don't know. I want to find out. I want to get the facts and figures of what that should be. Do I want it in a separate fund so it only goes for this? Absolutely want it in a separate fund. But I've had enough mentors in this place to tell me that you gather all your facts and figures to make your decisions. And that's why I sat for hours last Wednesday, and it doesn't matter what group it is on whatever issue we're talking about, I'll sit there and listen. But you also have to understand there's another side to this. The side of the phone calls that everybody gets in this room. I don't know how to make it fair because when I pay my fees for inspections everyday at Canton Hotel and Restaurant Supply, I get an inspector. I don't just get to be singled out as the good guy. I got to pay for the salmonella that someone else sent out. So that means that I'm part of the whole mix. So again, we all have to give in. I would hope that the landlords as well as the Council people, and I'm working real hard to drive these bad ones out. I hope we can drive them all out of business so that it's the last amount possible that we have to deal with that are the bad landlords. Again, I don't know how I'm gonna vote down here, but I am gonna vote to hire six inspectors. I promise you that. Now what that figure is, I want to gather all the other information. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Smuckler. Chairman Mack.

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MEMBER MACK: Thank you, Mr. President. And, thank you, Member Smuckler, for your experience and insight as always. Uh, just for the benefit of the Council Members, removing the SMHA exemption, which we could do pending the Law Department's opinion, would generate on the low end \$44,016.00 and probably on the high end \$108,000.00. To get the five to six employees that we're talking about, depending on where we devote those employees, we're looking to need about \$515,781.00. So, certainly the SMHA exemption could be a part of that, and Member Smuckler, I'd be happy to work with you to craft, pending the Law Department's analysis, that could fold that in. But I just wanted to have that information for the... the benefit of the members.

PRESIDENT SCHULMAN: Thank you, Chairman Mack.

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Yes, Mayor Healy.

MAYOR HEALY: Um, just a point to share. I believe that when SMH has a response... SMHA has a responsibility for their 1000 or 2000 homes, whatever it is, the properties, they actually are responsible to inspect those properties as well. So, if we take the fee back then we're probably gonna have to take the responsibility of inspecting them back, which means we're gonna pick up a number of more inspectors, or inspections, so you might need another inspector if you do that. So just to keep that in mind as your chair of that.

PRESIDENT SCHULMAN: Thank you, Mayor.

MEMBER HAWK: Mr. President, two quick...

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: We're talking about money, so two quick points. First of all, to clarify the SMHA process. Again, I read it during committee meetings, and it is exempted by ordinance. And, the other part of SMHA being subject to interior inspections pursuant to programs, to Paragraph A (2), and this provides for mandatory insurance inspections upon written request. In other words, they're complaint driven. So we are in fact responsible if we receive a complaint to inspect SMHA housing. They do avail themselves of our services, and are citizens are protected. They are not exempt from our building codes nor any other fees or regulations. I believe we should include them, and as the largest housing provider in the City, they have the potential to use the most prop... most of our services. They need to be included in this. It's a fair way to go about it. And the second portion of this, while we're talking about money, this bothered me a little bit because last week I got two calls, concerned calls, from folks who heard rumors that there will be layoffs in our safety forces. And so, Mayor, I'm gonna ask you that question. Is that a possibility? I mean, or are these just rumors?

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: I've had no discussions with anybody about layoffs at this point in time. I've been sharing with Council for months now that the general fund cash flow is... is tight for this year, and gonna be very, very stressed for next year. We had this conversation over and over again, but we went through the worst recession in our history losing millions of dollars on an annual basis, and we didn't have a single layoff. I don't anticipate that having a shortfall or... or a tough financial situation this year is gonna be anywhere comparable to that, so I

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would think it would be very unlikely that... that layoffs would come, but, you know, again, you know, we have to watch for the fold, and at this point in time we have not had a single discussion about it. So, thank you.

MEMBER HAWK: Thank you for your... thank you for your answer.

PRESIDENT SCHULMAN: Thank you, Member Hawk. Member West.

MEMBER WEST: Mr. President, Connie Collins who's the President of Assoc Housing, or Real Estate Association, I believe it is, they're having an event as they indicated on the 17th, and they're coming down with strategies to help the City. And I think they want all Council Members there, and they're gonna try to have it here once we get it confirmed with Cindy if they can have it here in our Chamber. And so I think that's one step that they're not only saying okay, look, we want to be part of the solution. And I think that's her role, and I met with her several times and she has a lot of great ideas to share to help the City. Uh, so, you know, there's a lot of landlords out there, some are good, some are bad. But I think we do need to partner with the landlords, and the good landlords, to make some good solutions to... for our City. So, if we can get out 6:00 to 8:00, is that correct? And that would be here at the Chambers. Thank you.

PRESIDENT SCHULMAN: Thank you, Member West. Now I'm gonna just, if I could, take two minutes to follow up on this landlord registration fee for just a moment. The landlords have the benefit of our road system, our sanitation system, our water system, our sewage system. If there's a fire in your... in your rental property, Canton Fire Department will respond. If there is an altercation or some danger physically to residents, our Canton police will respond. You live in this community. You may not actually physically live here, and a lot of you don't, but you are a member of this community. And I am suggesting that this community is at a tipping point. I was not raised in Canton. I was actually raised in Columbus, and I... but I've been here for 40 years, so this is my adopted hometown. Uh, I love this community, but I have seen dramatic changes as we all have over the last 40 years. This community is on a tipping point, and all you have to do is drive through our neighborhoods and see the decay that is occurring to know that we have to do something. There was actually a landlord who stood up last week and complained about his property taxes who thought that property taxes actually were going to the City. They don't. We don't get a dime from any property taxes in the City. Not a dime. And we are short, as the Mayor and as we've been saying ad nauseum for some of you who haven't attended this meeting, we are short about 17 million dollars from the State of Ohio. They are devastating urban areas, the Governor and the Legislature. They have... they're sitting on 2.3 billion dollars, and they're keeping every single cent of it and sending nothing back to where the most population... where the most... where the most people live. And that's our cities. This \$100.00 assessment, this registration fee, is a good public policy for our City. It's invaluable for our City. It is critical for our City. It will be, and I echo what Member Smuckler and particularly what Member Hart... or Hawk said, it will be in a restricted fund and it will be designated for beefing up our system of inspections. And I must take exception to what Member Smuckler said. If you have a dump on the outside, you cannot imagine what a place is like on the inside. And I don't want our people living on the inside of these residences. I don't care what kind of facade you put on, if you're living in squaller on the inside, you're living in squaller. So I know that Member Smuckler certainly believes that to be the case too. But we need to beef up the building inspection. We need to have a housing court. We need to reinvest the extra money in our neighborhoods, and we have to bring our building department in the 21st century to answer some of the questions that our citizens and our landlords have raised which are fair. How many do we have? How many rental units are there out there? We should know that, and this money will allow us to get it. But I cannot emphasize... I know... I know this... the feelings are strong in this Council, and I think they're strongly moving in favor of passing this and passing \$100.00 per unit. This is critical. This is as critical as

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anything we've been called upon to do, that I've seen you been called upon to do in the last ten years of my tenure being privileged to sit as Council President. So...

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: It's a word to the wise. Member Smuckler.

MEMBER SMUCKLER: I... I want to rephrase that because that's not what I meant.

PRESIDENT SCHULMAN: I knew that.

MEMBER SMUCKLER: What I meant was is that when we were offering to put plastic pipe in instead of copper pipe that was... was relaxed. When toilets and some of the other things. I don't want to see squaller inside either, and I hope that won't be taken out of context.

PRESIDENT SCHULMAN: Great. No, I'm sure it wasn't. That's why I commented. Any other remarks? Leader Morris.

MEMBER MORRIS: Uh, yes, sir. Mr. President, I just wanted to throw out a rumor that Assistant Leader and myself had hear that we'll be laying off Council Members effective this Friday, so it'd be a good idea to get a hot dog and go over and help Member Dougherty at Feed the Needy this weekend. Motion to adjourn.

MEMBER DOUGHERTY: Well, if we... if we go by seniority I'll be okay. (*Laughter*)

PRESIDENT SCHULMAN: Thank you. There's been a motion to adjourn. Is there a second?

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: Member Smith seconded it. Madame Clerk roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: (*Gavel falls*) Thank you, and thank you, ladies and gentlemen, for coming down. We appreciate it. Drive carefully.

ADJOURNMENT TIME: 8:28 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT