

**MINUTES OF THE MEETING SEPTEMBER 21, 2015**

PRESIDENT SCHULMAN: Welcome to Canton City Council. I apologize for the delay in starting our meeting tonight. We were, as some of you know, our session went a little longer than normal. Before we begin, Delaney Riley died last week. She was the daughter of Canton Police Officer, Craig Riley. She had a lot of life ahead of her. Our hearts, prayers, thoughts go out to the Officer and his family. There is nothing worse, I cannot imagine, than losing a child. We're going to have a moment of silence for Delaney tonight. This afternoon I went to a funeral, a service for Herb Fisher, who lived 92 years, who started a business with his brother and his father, called Fisher's Foods which is a union shop that provides health care, retirement and other benefits for his employees. Interestingly, in 1980 there was a grape boycott in the United States, to help migrant workers who were trying to unionize. Fisher's Foods, Jack and Herb Fisher and their father, pulled all the grapes out of the stores in support and solidarity for migrant workers. Not only in California, all over the country, but also in Hartville, Ohio. We have lost 2 precious souls and I would like to take a moment of silence for both. Thank you and may they rest in peace. Ok, we begin this evening's meeting with a quorum being present, the Chair does call this meeting of Canton City Council to order. Roll call vote please, Madame Clerk.

***ROLL CALL TAKEN BY CLERK TIMBERLAKE:***

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.

CLERK TIMBERLAKE: All present, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Member Smith was going to say that I was not here tonight, but I am here, fortunately or not. We'll move on to our invocation which tonight will be given by Ward Council Member, Kevin Fisher. So, Member Fisher, and if you'll all stand and remain standing please, for our Pledge of Allegiance.

MEMBER FISHER: Thank you, President Schulman, for the moment of silence. I was going to include that with the invocation tonight.

*The regular meeting of Canton City Council was held on September 21, 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 5 Council Member, Kevin Fisher. The Pledge of Allegiance led by President Schulman.*

PRESIDENT SCHULMAN: Thank you very much, Member Fisher.

**AGENDA CORRECTIONS & CHANGES**

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

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2<sup>nd</sup> Reading Ordinances #13 through and include #20; O#15 will be retained in Committee.

MEMBER SMITH: Second.

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PRESIDENT SCHULMAN: It's been moved and second to Suspend Rule 22A to add the 2<sup>nd</sup> Reading Ordinances 13 through 20; Ordinance 15 will be retained in Committee. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. The motion carries and those Ordinances will be a part of your agenda.

**PUBLIC HEARINGS**

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

**OLD BUSINESS**

PRESIDENT SCHULMAN: Under Old Business, the Mayor's Chief of Staff and Deputy Mayor, Fonda Williams, tells me that there is no Old Business.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We're now under Public Speaks and we do have, I believe, 6 speakers this evening. Our first is, and I apologize...sometimes it's my fault, I can't read your writing, which actually may be your fault, but...Natalie McCluskey. Ms. McCluskey, good evening. If you'll step forward ma'am and give us your name and your residential address please, and welcome.

NATALIE MCCLUSKEY: Thank you. Welcome. My name is Natalie McCluskey. I live in Canton. 1100 Clarendon Ave. Ward 1. My work actually, I'm a planner around the homeless work in Stark County for the Homeless Continuum Care. While the Homeless Continuum Care has not engaged in a formal discussion on this matter, I am speaking just my personal thoughts on it. I think that such a discussion and meeting would definitely be worthwhile around the discussion, around increased fees for the landlord. Many of our homeless agencies do work with private landlords. There is increased funding from HUD for housing for homeless individuals that hinges upon relationships with private landlords and being able to place individuals with varied low income to no income in affordable units and I think there could be definitely, serious repercussions on those types of programs and those agencies, and being able to house those are most needy of affordable housing. Our public housing and Section 8 wait lists are incredibly long. There's not enough affordable housing in those, so we do have to look for other ways to increase our affordable housing stock. We have a lot of landlords who do a wonderful job and are partnering with our agencies. Many that do charge very reasonable rent and are able to do that. We work with landlords, even when landlords...when tenants struggle to keep on track with their rent, that they're willing to work with them in order to keep them off the streets and in order to prevent having to evict them. I really hope that we look at the full picture and engage all the partners in the community that could be affected by changes like this, that will put a hardship on a lot of our landlords who do great job. That was some of the things I wanted to bring to the table. Also, all of our programs that receive funding such as this, do HQS, which is the HUD Habitability Inspections, and so they are keeping on track with making sure landlords are providing, not only affordable, but also safe housing for the tenants.

PRESIDENT SCHULMAN: Great. Thank you very much. Appreciate it. Our next speaker is Angenita Daniels. Ms. Daniels, good evening, welcome. If you'll step forward ma'am and give us your name and your

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residential address, please.

ANGENITA DANIELS: My name is Angenita Daniels. I live at 1906 Wertz Ave. SW, in Canton. I'm here representing the homeless. I'm currently employed at the YWCA, where we provide housing for homeless communities..or homeless citizens. I'd first like to thank all the landlords that are present that work with us, because it's hard to find landlords who are willing to work with people who are hard to house. We serve people who have criminal backgrounds, who are just desolate, just in need. It's hard to find people who will cooperate. When we get landlords that are willing to cooperate with us, it's a miracle almost. I don't know if people are aware of the problem of homelessness that we have, it's hard enough to try to find affordable housing, single family...individual and single family properties. So, when we get it, it's just like a blessing. To put that burden on the landlords to come up with additional funds to cover these fees, they're going to pass that on to our clients. Once we provide the housing, I don't know if you all are familiar with the Rapid Rehousing Program. What we do is, we provide the first month's rent and deposit to eligible clients. Once we provide that initial help, they're responsible for the rest of the rent on their own. So, we're charged with trying to find them affordable housing and that's why we just need to keep this at a minimum. Thank you.

PRESIDENT SCHULMAN: Thank you very much. I appreciate you coming down. Our next speaker is Wendy Myers. Ms. Myers and I have been email friends for the last week. It's good to put a face to an email. Good evening. If you'll step forward and give us your name and your residential address please. Welcome to Canton City Council.

WENDY MYERS: I'm Wendy Myers. I do reside at 406 4<sup>th</sup> St. in Marietta, Ohio, but I'm the owner of Embassy Apartments at 1718 Market Street, and the Diplomat at 205 19<sup>th</sup> Street NE. Two very nice high-rise buildings and I've invited all to come look at any time. We are an open book, and like all the other landlords in the area, we take pride in our property and we try to keep maintaining them even while there's these complicated issues that we have with our renters. I maintain, as you know from my email, that this 500 fold increase is actually discrimination. Not just against the good landlords, but against the good tenants. You know when our costs go up..and we...I know you've told me this...you're tired of the crying about utilities and property taxes, and wages, all those things, but it is a reality. It means we only have 2 choices. One is to cut costs, which have been cut, cut, cut, or to raise rent. So, this is something that actually hurts everyone. We all have to pay for. One question that I brought up to several of you and never got answer about, was...and I did sit in on your front...first meeting, and I know a lot of you were talking about this, but I do own some properties in Marietta and Belpre, both of which had code in place, but we don't pay any code enforcement fees. Instead, we say, "let's work together". We take the tenants, we take the landlords, we take the health department, we take the police personnel and we try to tackle these important issues. We know that rentals aren't just about a place, it's about economic issues, it's about education issues, it's about drug and criminal activity. The truth of the matter is, everybody does deserve a place to live but we have all these things that come together. When you take the money from the good landlords and out of the good tenant's pockets, you end up hurting everybody. We all have that same goal and it makes us not have money to maintain our properties, it increases rent on the good citizens, it keeps us from buying things from local suppliers, it keeps us from hiring, and in dire straights, it might even make us go bankrupt. I've told all of you, this will cost me \$8500. This doesn't seem to be a lot of money to you, but it's devastating to us and to our tenants. I urge you consider another path that won't discriminate, but will actually help us to all work together because quite frankly, this seems like not only discriminatory and harassment and punishing to us, but the easy and lazy way out. Thank you.

PRESIDENT SCHULMAN: Thank you, Ms. Myers, appreciate it. (*Applause*). Our next speaker is James Parker. Mr. Parker, welcome as always, to Canton City Council. I haven't seen you in a while.

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JAMES PARKER: My goals and aspirations have been met. I'm self actualized. (*Laughter*).

PRESIDENT SCHULMAN: Well, I'm glad to hear that!

JAMES PARKER: James Parker. 630 Penny St. SE, city of North Canton. I'm here tonight concerning Communication 339 by Councilman Hart. If it would please President Schulman, I'd like to speak a little bit on Roundup and it's effects and some of the latest research that is being concluded...er, that's vindicating evidence for the last 35 years. The World Health Organization recently reassessed it as a possible carcinogen and that again, vindicates a lot of evidence. (*Inaudible*), I have spoken on before. Law...Martuccio...Director Law...Law Director Martuccio had said that no more frogs are singing him to sleep since they sprayed the Roundup. It's very terrible on amphibius life, butterflies. After you plant the wildflowers, the monarchs can feed on that and have the glyphosate in there, and then die. It's terrible on Monarchs. We have a colony bee collapse syndrome. It's pervasive throughout the community. If it weren't for private beekeepers in Canton, we wouldn't have honeybees. You would just have those nasty little fellows called wasps. They aren't there to pollinate things, they're there to sting you. Glyphosate has always been claimed falsely by Monsanto, to be safe and harmless to become the world's most widely used and pervasive herbicide. Especially with glyphosate tolerant (*Inaudible*), that spread like wildfire through the...it's called horizontal gene transfer to the other plant kingdom species. It has brought a rising tide of birth defects, cancers, fatal kidney diseases, sterility, autism and dozens of other illnesses. I plead everyone to read the devastating evidence and ban glyphosate from your home and local community to stop poisoning people. I think proposing to spray Roundup like Eu de Toilet in a French bordello, around town is not a good idea and probably has the same effect, disease. I tried to grow some wildflowers. It didn't work, I got more weeds. Will the area homeowners be notified of the toxic plume, or will they be nose blinded? Many people have gotten seriously ill living along golf courses. These are not to be sprayed without a two week, certified course from Columbus, to spray any pesticides publicly, at all, or as commercially as well. So, will these people all be certified in its use, and correct use? Because this is downright hazardous. The well-being of the city would be compromised by it and safer alternatives are available. If it would please Councilman, President Schulman, could Councilman Hart withdraw that proposal and replace it with one that bans glyphosate, a resolution that bans Roundup and glyphosate? Use eco-friendly alternatives to stop the destruction of life as leaders for future generations. Since I do have 19 seconds, you know, agent orange used to okay for troops, obviously things still won't even grow there and we need to think globally and act locally. I thank you for your time and consideration, and this entire proposal needs rethought. Thank you.

PRESIDENT SCHULMAN: Thank you very much, Mr. Parker, appreciate it. Our last speaker this evening is Henry Preston. Mr. Preston, good evening as always, and welcome to Canton City Council.

HENRY PRESTON: Good evening. My name is Henry Preston. Since the topic the last three weeks has been landlords, I thought I would add my two cents worth. Back when I was 23 years old, I became landlord of a duplex in Alliance, Ohio. The first year I was new at it, I collected the rent every month. After the first year, I decided I knew what I was doing, so then I became an absentee landlord. I was an absentee landlord for four years. I only had 1 eviction and this was in what we call low income area. Okay, I gave that to my ex-wife through a divorce, and seven years later I bought a house over on 33<sup>rd</sup> Street, near Walmart. Again, since I felt I knew how to get tenants, and manage it, I was an absentee landlord for two years. While I was over there, I came up once a year and looked at it, of course. One of the neighbors said, "Do you know what they're going to build across the street?" I said, "No, what are they going to build?" "Public housing". I went down to the realtor and I said, "I'm putting the thing on the market". The point I'm making here is, public housing has

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ruined a lot of neighborhoods in Canton, including the one where I had a house across the street. There's no way that anybody would walk down there at night. Part of this problem with the properties is the City does not manage public housing. That's what they know. I've heard a couple things tonight. I agree with Mr. West. What I've heard is what you're doing to the landlords is kind of punitive. The other lady here that spoke, I think she's right on the beat, it's a business. You don't do business with somebody you don't like. And so I think the City needs to work really hard and examine what they're doing. Get the landlords together and see if you can all work it out. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Preston. *(Applause)*. That concludes our Public Speaks. I want to thank all the speakers for coming down. We're always interested in hearing from you. Even though we may have a difference of opinion, we respect your right and your opinion to present it to us.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We now turn to Informal Resolutions and we have none this evening.

**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 21, 2015.***

338. COUNCIL-AT-LARGE HART: PROPOSE 10 YR TAX ABATEMENT FOR FIRST \$40,000.00 OF INCOME FOR NEW RESIDENTS PURCHASING HOMES IN CANTON. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
339. COUNCIL-AT-LARGE HART: PROPOSE KILLING WEEDS AND HIGH GRASS ON VACANT LOTS WITH "ROUND UP" PRODUCT AND PLANT WILDFLOWERS. - RECEIVED & FILED
340. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR DEPUTY MAYOR TO CONTINUE CONTRACTUAL AGMT WITH CCIC TO PROVIDE \$75,000.00 GRANT UTILIZING GENERAL FUND DOLLARS FOR GRANTS, LOANS & ADMIN COSTS. - FINANCE COMMITTEE
341. PROP OWNER, STEVE FETTMAN: REQ AUTHORIZATION FOR ZONE CHANGE LOCATED AT 2915 TUSCARAWAS ST W, WARD 3 (FETTMAN PROPERTY MGMT LTD). - PLANNING COMMISSION
342. SERV DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO COOP AGMT WITH STARK COUNTY FOR NIMISHILLEN CREEK WATERSHED PROJ AND TO PAY UP TO \$33,310.0 OF TOTAL PROJ COST OVER 5 YRS USING CAPITAL FUNDS FROM ENGINEERING DEPT; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

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343. SERV DIR BARTOS: AUTHORIZE HIRING OF MARC A. MORGAN AS ASST SUPERINTENDENT OF WRF AT STARTING ANNUAL SALARY OF \$79,000.00 IN ACCORDANCE WITH SEC 11 OF O#100/2011; GRANT MARC A MORGAN 10 DAYS VACATION ANNUALLY UNTIL HE REACHES 2 YRS OF SERVICE WITH CITY, AT WHICH TIME HIS ANNUAL VACATION ENTITLEMENT WILL MIRROR SCHEDULE FOUND IN 151.07(a) OF CANTON CODIFIED ORDINANCES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PERSONNEL COMMITTEE
344. SERV DIR BARTOS: AMEND CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL TO ALLOW FOR UP TO 4 TOTAL EMPLOYEES IN DEPT OF TRAFFIC ENGINEERING & SIGNAL ALARM, AND UP TO 10 TOTAL EMPLOYEES IN CITY ENGINEERING DIV; AMEND CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL BY REMOVING REQUIREMENT THAT CIVIL ENGINEERING TECH V BE REGISTERED PROF ENGINEER AND/OR SURVEYOR. - PERSONNEL COMMITTEE
345. SERV DIR BARTOS: AMEND O#58/2014 BY ESTABLISHING 1 ADDITIONAL \$6,500 ANNUAL STIPEND TO BE PAID TO ANY INDIVIDUAL WHO SIMULTANEOUSLY HOLDS THE POSITION OF SANITARY SEWER ENGINEER IN COLLECTION SYSTEMS DEPT AND FACILITIES ENGINEER OF WRF; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PERSONNEL & FINANCE COMMITTEES

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: And we now under First Reading Ordinances and Formal Resolutions for their First Reading. Madame Clerk, will you please begin 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. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A REVISED PARKING LEASE AGREEMENT WITH DAY KETTERER LAW FIRM; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO TAX INCENTIVE AGREEMENTS WITH PHOENIX RISING BHR INC. PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 80AU AUDITOR)

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- #4. (1<sup>ST</sup> RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE 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 #02-48493, 208 WALKER CT NE, JAMES LEDFORD, JR)  
Referred to Community & Economic Development Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$437,000.00 SUPP APPROP FR UNAPPROP BAL OF 2211 COMMUNITY DEV FUND TO 2211 506001 COMMUNITY DEV - OTHER; \$214,860.00 SUPP APPROP FR UNAPPROP BAL OF 2219 EMERGENCY SHELTER GRANT FUND TO 2219 506001 EMERGENCY SHELTER GRANT - OTHER)  
Referred to Community & Economic Development Committee
- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,100,000.00 SUPP APPROP FR UNAPPROP BAL OF 1152 NIP ACQUISITION DEMO DEBT FUND TO 1152 506001 NIP ACQUISITION DEMO DEBT - OTHER)  
Referred to Community & Economic Development Committee
- #7. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION & CORRECTION FOR THE RECEIPT OF THE FY 2016-2017 PROBATION IMPROVEMENT & INCENTIVE GRANT IN THE AMOUNT OF \$88,822.00; AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THE 2765 PROBATION & IMPROVEMENT GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$82,822.00 SUPP APPROP FR UNAPPROP BAL OF 2765 PROBATION IMPROVEMENT & INCENTIVE GRANT FUND TO 2765 701001 PROBATION IMPROVEMENT & INCENTIVE GRANT - OTHER)  
Referred to Finance Committee
- #8. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$36,000.00 APPROP TRF FR 2323 301001 - OTHER TO 2323 301001 - PERSONNEL; \$16,000.00 SUPP APPROP FR UNAPPROP BAL OF 2313 LOCAL HEALTH FUND TO 2313 301001 LOCAL HEALTH FUND - PERSONNEL)  
Referred to Finance Committee
- #9. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ACCEPT AN IMPAIRED DRIVING ENFORCEMENT PROGRAM FFY 2016 GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$23,815.92; AND DECLARING THE SAME TO BE AN

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## EMERGENCY

Referred to Finance Department

- #10. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 36904 AND 36905 AND PART OF LOT 36930; AND DECLARING THE SAME TO BE AN EMERGENCY (804 44<sup>TH</sup> ST NW, WARD 8, DRAKE & ASHLEY)  
Referred to Public Safety & Thoroughfares Committee
- #11. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ACCEPT A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM FFY 2016 GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$17,738.03; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

***(COUNCIL RECESSED AT 7:57 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #; RECONVENED AT 7:59 P.M.)***

- #12. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 178/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT FUNDS FROM JOBS OHIO IN THE AMOUNT OF \$148,215.00 FOR EXPENSES ASSOCIATED WITH THE PHASE 2 ENVIRONMENTAL ASSESSMENT OF THE FORMER WEBER DENTAL FACILITY; AND DECLARING THE SAME TO BE AN EMERGENCY (2206 13<sup>TH</sup> ST NE)  
Referred to Finance Committee

PRESIDENT SCHULMAN: At this time the chair would declare an in house recess for the Finance Committee and my friend, Chairman Hawk, to meet in regard to Ordinance #12 on your agenda. You're now in recess. Chairman.

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 #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 your agenda this evening. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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PRESIDENT SCHULMAN: The motion carries. Ordinance 12 is a legal part of your agenda. Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 12. Any remarks? Again hearing none, again Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve 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? Again hearing none, bless you, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#12 ADOPTED AS ORDINANCE NO. 178/2015**

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Motion carries. Ordinance #12 is adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #13, #14, #16 THROUGH ORDINANCE #20 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #15 RETAINED IN COMMITTEE; ORDINANCES O#19 AND O#20 ADOPTED ON 2<sup>ND</sup> RDG):***

- #13. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING SECTION 917.05, TREES TO BE REMOVED AND/OR PRUNED ALONG PUBLIC WAYS, OF THE CODIFIED ORDINANCES.
- #14. (2<sup>ND</sup> 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

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## EMERGENCY

- #15. (2<sup>ND</sup> RDG) **RETAINED IN COMMITTEE** 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
- #16. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN 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
- #17. (2<sup>ND</sup> 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)
- #18. (2<sup>ND</sup> 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
- #19. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 179/2015** 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)

PRESIDENT SCHULMAN: Leader.

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MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules for Ordinance #19.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 19. Any remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

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. Any remarks under this Ordinance? Again hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#19 ADOPTED AS ORDINANCE NO. 179/2015**

PRESIDENT SCHULMAN: Well, eleven and something! *(Laughter)*.

MEMBER FISHER: My voice was little high. *(Inaudible)*.

PRESIDENT SCHULMAN: Ordinance 19 is adopted. Ordinance 20 please, Madame Clerk.

#20. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 180/2015** 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)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules for Ordinance #20.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 20. Any remarks? Hearing none, Madame Clerk, roll call vote, please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#20 ADOPTED AS ORDINANCE NO. 180/2015**

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 20 is adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SCHULMAN: We now move to Ordinances and Formal Resolutions for their Third, Final Reading and Vote. Would you please begin, with Ordinance 21, Madame Clerk.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCE #21 THROUGH ORDINANCE #22 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

#21. (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 181/2015** AN ORDINANCE AMENDING SECTION 1351.03 OF PART THIRTEEN, BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (REGISTRATION FEES)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 21. Any remarks? Leader.

MEMBER MORRIS: Mr. President, I move we amend Ordinance #21 per a copy all Council Members have in front of them.

MEMBER SMITH: Second.

**Amendment**

*Pursuant to Rule 36, I move to amend Agenda Item No. 21 by amending Section 1 to change the dollar amount in subsection (j) from "\$100.00" to "\$80.00" for both 1, 2 and 3 family structures and 4-unit and above structures.*

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 21 per the copy before each Member of Council. And...you haven't been provided with that, so...we'll have to provide it. (*Inaudible*).

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: (*Inaudible*) what the amendment is?

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PRESIDENT SCHULMAN: That would be excellent, since I don't think it's that complex.

MEMBER MORRIS: Okay, it's Pursuant to Rule 36, I move to amend Agenda Item No. 21 by amending Section 1 to change the dollar amount in subsection (j) from "\$100.00" to "\$80.00" for both 1, 2 and 3 family structures and 4-unit and above structures. So, basically, to sum it up in a nutshell, we are taking the dollar amount from \$100.00 to \$80.00 per unit.

PRESIDENT SCHULMAN: Thank you. Member Smuckler.

MEMBER SMUCKLER: To discuss only the amendment...

PRESIDENT SCHULMAN: Yes.

MEMBER SMUCKLER: In a meeting last week with some of the landlords, I was asked a question when I passed out sample Ohio Municipal Rental Registration Fees, last Wednesday. It asked whether...I was asked whether that this was an annual fee for the paper that I passed out and the maker of the memorandum told me this is an annual fee for these areas, and I'd like to read them. Maple Heights - \$225.00 for the first unit, \$175.00 for each additional unit annually; South Euclid - \$200.00 for the first unit, \$150.00 for each additional unit annually; Solon - \$100.00 for the first unit, \$75.00 for each additional unit; Lakewood, I believe known as the "City of Rental Properties" - \$75.00 per unit for 1, 2 unit structures, \$65...I'm sorry, \$60.00 per unit for 3 unit structures, \$45.00 per unit for all the structures, maximum of \$3,500.00 per structure; Fairport Harbor - initial fee of \$200.00, \$100.00 for each additional every other year; Warren - \$84.00 for the first unit, \$70.00 for additional units; Boardman Twp. - \$40.00 per unit, up to 5 units, and if it's more than 6 units, then \$150.00 a unit plus \$50.00 per unit annually; Garfield Heights - \$100.00 for the first unit, \$25.00 for each additional unit; Youngstown - \$40.00 for the first unit, \$25.00 for each additional unit; Cleveland - \$35.00 per unit annually; Akron - maximum fee of \$2,500.00 per landlord regardless of units owned. \$20.00, are you kidding me? No wonder the lobbyists that came in here last week didn't lobby too hard. I'd like to show you what my inspection bill is. The Canton Hotel & Restaurant Supply. You know, I sponsored this with a number of other people and there's people jumping back and forth now on what this should be and what it shouldn't be. And just to discuss the fee now, because I want to discuss the rest of it when we get to that. This isn't punitive. This is costing us this much money to do inspections. It's obviously costing the other cities money to do the inspections. I don't know who wants to pay for this, but it certainly can't be all the taxpayers to do this. Several years ago, we ran a \$300,000.00 deficit. We are now spending more than \$2.1 million dollars in the last 2 years of General Fund money than we've taken in. It's over. We gotta increase these fees to cover inspections. I don't know any other way to do it. I'll go along with the 80 and I want to discuss the rest of this when it comes to that.

PRESIDENT SCHULMAN: Thank you Member Smuckler. Any other remarks on the Amendment before each Member of Council? Member Fisher.

MEMBER FISHER: Thank you sir. I've had a number of conversations with, obviously people around this horseshoe about this going back three months now, along with the meeting that Member Smuckler hosted, which was outstanding. The meeting that we held last week over in the courtroom, which was very informative. My concern with this isn't the number. Whether it's \$80.00 or \$100.00 or \$120.00 or \$200.00, like some of the other areas. It's not knowing how we're going to take that money, how we're going to use that revenue to hire code inspectors, sanitarians, what have you, prosecutors. And how we use that to then, get to where we want to go, which is better housing. I don't think the goal should be more inspections, the goal should be better housing. Insomuch as we don't...we don't start collecting this money 'til March, I don't know what the harm is

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in trying to figure out how that is. I don't think it's going to be delayed. I think there's a since that's going to pass, but I don't think that just going from one number to...I'm not sure what it's based on, to another number that I'm not sure what it's based on, is necessarily the answer. We may need to go the other direction. I would just like to know how much getting to better housing, specifically how much getting to better rental housing, how much is that going to cost us? And if it's more than \$100.00, then it's more than \$100.00. If it's less than \$100.00, then it's less than \$100.00. I don't know how to get from where we are to where we need to be without knowing how much money that's going to cost and then setting that fee to cover those costs. That's my thought on the amendment of changing it. So, I'm not sure if it needs changed or if we're even going in the right direction.

PRESIDENT SCHULMAN: Thank you Member Fisher.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you. On the amendment, only.

PRESIDENT SCHULMAN: Yes.

MEMBER HAWK: Again, I concur with Member Fisher. We need to have a plan and a program and lay it out exactly what we're going to do with it, as we talked in Committee Meetings in forming an Enterprise Fund in which to deposit it. I think even the...as I read this...and please help correct me because sometimes I'm not all that smart, it says, "*For both 1, 2, and 3 family structures and 4-unit and above structures.* Is the fee on this thing per structure, or is it per unit? Again, structures and units are 2 different, major pieces of legislation. There are 11,789 units in this city, which at \$100.00 would generate almost \$1.2 million dollars. And if you cut it, just using unit numbers, not structure numbers, again that's going to be clarity later on and trying to do something on the fly like this speaks to not doing our...enough research on it and getting it done. I think delaying it another week and cleaning all this up would certainly be beneficial. If you go to...you've reduced the amount to \$943,000.00 if we do it using units, that's reducing it from 80...so, you've reduced it by 20%. This just needs time. It needs the Enterprise Fund set up from which to draw out of it, it needs some firm numbers to be doing something with and a firm explanation as to what we do with it. I think that nobody would have a problem spending money efficiently and effectively. The fact that we're going to cut it at the last minute shows a total lack of planning because we didn't understand what we were doing and how much we needed anyways. I'm for this being at \$100.00, I will support that all day long, but I need to know where it's going to go and what we're going to do with it and exactly what this amendment does mean. Is it units or is it structures? Structures greatly reduce the amount of money. This says structures.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Member Mariol.

MEMBER MARIOL: It's units. It's units. Read...

PRESIDENT SCHULMAN: Law Director.

DEPUTY CHIEF COUNSEL BATES: If I might. It's a little confusing just because this is based on our old

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Ordinance and in the old Ordinance there was actually a difference between the fees that were charged per unit, it is per unit, I don't want anybody to be mistaken, depending on the size of your building. And larger landlords got a break because they were paying a lot more unit fees. So, even though now the amendment before you, and also the original amendment as read in the first two readings, it mimics that old language. There really is no distinction under this though because they're the same fee. It is per unit and the breakdown may not look quite right but that where I'm ending a previous one that did have the fees. We have to be clear that there isn't a difference in the fee anymore as there used to be.

PRESIDENT SCHULMAN: Thank you Law Director.

MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Member Mack.

MEMBER MACK: Yeah, I did just want to put something on the record that I discussed with some of my other colleagues. I will, by tomorrow, have a communication to the Law Director to establish the Enterprise Fund that we discussed.

PRESIDENT SCHULMAN: Thank you Member Mack. Member West.

MEMBER WEST: So, just for clarity, the \$80.00 per unit can go from 1 unit up to a 50 unit building, right?

PRESIDENT SCHULMAN: Yes.

MEMBER WEST: And right now, currently it's \$20.00 and then, what's the second one?

DEPUTY CHIEF COUNSEL BATES: I think it's \$15.00 for the larger buildings, but per unit.

MEMBER WEST: I agree with Member Fisher and Member Hawk. I think we really need to lay out a plan and I sat down with the landlords, with some of the Real Estate Association people who came down. Mr. *(Inaudible)*. Those guys, they really laid out a good plan. They said, "We're for your raising the fees, we just need to know what it's about". And I'm still not clear on...registration to me means my house is now registered on a list with the City of Canton, and then that \$100.00 inspection fee they give you for that first time, that's for inspections. And in my mind, it seems to me like we should be looking at a different Ordinance addressing inspections for the Inspector. If we need to get more inspectors, it seems we should be looking at the Ordinance for inspections and saying, each year we need to do an annual inspection and the registration fees over here, in my mind. I know today when I went over there, there was a \$20.00 registration fee and if you were after 30 days late, it's \$60.00 registration fee. You get a penalty, \$40.00 penalty. If you would happen to raise this to \$100.00, now you're looking at \$100.00 and after 30 days, then it becomes \$300.00. Where does that money go and what does it go for? Does it go for Inspectors? If that's the case, we don't have the Inspectors now. This money, going forward, if it's just for inspectors, okay, I'm down with that, let's support that. And let's give a breakout cost. If it's for a court person, let's do that and let's say that's what it's for and this is what's going to happen. But I'm hearing, and this is where I get really confused because I'm hearing it say that we're going to clean up our neighborhoods, I'm down with that, I want to clean up Ward 2 better than, believe me, more than anybody wants to know. And if it costs \$200.00, let's do that, but I'm not sure that this Ordinance is going to clean up Ward 2. I'm just not. I'm sure that it will go out, I'm sure it's going to penalize, I'm sure it's going to go out and look at these structures, I'm sure it's going to go out there and find people, I'm sure it's going to do

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that. And I'm sure, as a social worker, I'm sure it's going to also raise the fees that going to cost people who move into those apartments. And that's where I struggle. From my political side to my social worker side. And one thing I do know, is that the families will...this will hit them. We all have to deal with that. And these people out here that's advocating for homeless, it could cause more homelessness. We really need to look at both sides of this, I think we need to look at code and say, let's really do an overhaul of that whole department and let's try to support families, let's try to support these homes, let's try to get out there and clean up our neighborhoods and let's find the resources to do it. One thing I do know, is we have the CRA area, is that what's it's called? The CRA area? We could use Community Development monies to go...

MEMBER MORRIS: Mr. President, Point of Order.

MEMBER WEST: That \$80.00...

PRESIDENT SCHULMAN: Ok, yes, Leader. Point of Order.

MEMBER MORRIS: The discussion is supposed to be towards the amendment itself.

PRESIDENT SCHULMAN: Right. If you can just stick with that Member West.

MEMBER WEST: Sure. So, just wrapping it up, in my mind, I think there's other revenues we can pull, that we may be able to look at this and say, "this can cut that revenue and actually reduce the price".

PRESIDENT SCHULMAN: Member Griffin.

MEMBER GRIFFIN: Mr. President, after a lot of hard (*Inaudible*) on this, I realize we have to raise the fee. There's no doubt about that, but I just think it's too steep at one time. I would propose \$50.00 and go after the deadbeats. The people that are late, make sure they pay that extra penalty. Make sure they pay their charges and that. That's where we're losing, and the people who are not registered, the people who rent their homes out or apartments out, nobody knows who they are. And as far as comparing Canton with the Cleveland, Cuyahoga County communities, we all know that the cost of living north of here is a lot more than in Stark County. I would compare us more with Youngstown than I would with the Cuyahoga County area. That's all. I can't go with the \$100.00. I'll go with \$50.00.

PRESIDENT SCHULMAN: Thank you very much. Any other remarks on the amendment? And just to remind Members of Council, this basically reduces what was proposed to be \$100.00 per unit to \$80.00 per unit. Are there any other remarks under this amendment? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

PRESIDENT SCHULMAN: It's in the Chair's opinion, I couldn't tell who was who, so we'll have to take a roll call vote, Madame Clerk.

NO REMARKS

ROLL CALL 6 YEAS, 6 NAYS

(MEMBERS HART, HAWK, WEST, GRIFFIN, FISHER AND DOUGHERTY VOTED NAY)

CLERK TIMBERLAKE: Six yeas, six nays, Mr. President.

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NO REMARKS

AMENDMENT PASSED 6 YEAS, 6 NAYS

PRESIDENT SCHULMAN: And under the Rules, as I understand them, this is the only...I think the 2<sup>nd</sup> time I've done this...I think I cast the deciding vote, and I would cast yea. The amendment is carried. Now, we go on then to the Ordinance as it's now amended for you, and I need a motion and a second.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #21 as amended.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 21 as amended. Are there any remarks? Member Hawk.

MEMBER HAWK: Mr. President, thank you sir. Again I like numbers and I started them in the meeting to inform you that with 11,789 units at \$100.00, it would generate \$1. ...almost \$2 million dollars. At \$80.00 now, the number we have to work with because we just amended, it would generate about \$943,000.00. Here's some of the things we intended to do with this Ordinance and why I think it's so important it hasn't been worked long enough or hard enough...

PRESIDENT SCHULMAN: Member Hawk, I'm sorry. Would you run those...I misunderstood what you just said.

MEMBER HAWK: Well, we're down to \$943,000.00.

PRESIDENT SCHULMAN: That's what I'm trying to figure out. The original one was how much?

MEMBER HAWK: Would have been \$1.17 million dollars.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: So, here we are...four Code Enforcement Officers are going to run you, with benefits, about \$340,000.00. One Clerk for the Code Enforcement office will run you \$65,000.00. Two Sanitarians in the Health Department will run \$152,000.00. One Attorney that we need desperately to help in prosecution of some housing...poor housing situations, will run you \$134,000.00. This is only a partial list because I haven't had time to generate the rest and get all of the information that I need. That comes to \$691,000.00. At \$943,000.00, that leaves you with about \$252,000.00 to cover the rest of the expenses that you intend this Ordinance to remedy. Let's put in the fact that we're going to have software that needs to be put into there, let's look into the fact that we're looking for a Magistrate in the courts that needs to be put in there, let's look in the fact that vehicles are used in this, and let's look into the percentage of the Chief Building Official's salary, which is a legitimate expense to an Enterprise Fund. We far exceeded the \$943,000.00 this Ordinance is generating. If the purpose of this Ordinance is to remedy poor housing in the city by better enforcement, we are a failure at it. This had the potential to be a very, very good Ordinance, and unfortunately we've fallen a little short so I will not support it.

MEMBER FISHER: Mr. President.

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PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: I'd like to ask, if I could, Member Hawk a question and then I did just want to add something after that. Member Hawk, on those numbers you just gave us, those were based off the total number of rental units I believe you got from the Building Department.

MEMBER HAWK: Yes.

MEMBER FISHER: Is that including SMHA rental units, which this is not...

MEMBER HAWK: No. My unit...SMHA has 1736 units, they are not included in the 11,789 units I've read to you. I broke all of this out separately, I believe in accounting for it and doing it properly, and efficiently, and effectively.

MEMBER FISHER: Thank you. Then, Mr. President, just one last thing. It does appear as if this is going to perhaps go to a 6-6 tie again. We have made you much more powerful over these last 2 Council terms. *(Laughter)* I don't know that you've had that many tie breaks in the years before that. The last few years have given you a lot of practice at it. I would just ask if over the course, if it does indeed go that way, if over the course of the next couple months as we are facing March, and these fees will be collected, whether they're at the \$80.00 level we've been amended or whatever changes are made, that we begin to put down a plan. Not just as Member Mack did a very good job of, and Member Hawk has done tonight, of what personnel can be hired out of these, but how we take that personnel and move from a poor housing stock and move incrementally to a better housing stock. I would hope that should this pass, that we will work with the landlords, we'll work with Code and the Law Department and the Judges and try to put that in place over the course of the next few months, so at least we know what we'll be getting for March 1<sup>st</sup>.

PRESIDENT SCHULMAN: Thank you Member Fisher. Member Smuckler.

MEMBER SMUCKLER: Mr. West, I'd like to answer something you stated.

MEMBER WEST: Go ahead.

MEMBER SMUCKLER: International Property Maintenance Code. I voted against it. And you did for this exact reason. I can honestly say that as I walk around these neighborhoods over the last four years, they've gotten worse. Not better, but worse. We don't deal with complaints. We've got one, maybe two inspectors up there. We've got to have three sources to hire more people. Forget about all the bells and whistles that goes with this. Member Griffin, by the way, Warren's close to Youngstown, \$84.00. I'm not calling people out, what I'm calling out is - understand the cost of doing business. Understand what these neighborhoods look like. I'm sick of the phone calls. I've said this before. Councilwoman Smith's sick of the phone calls. She's talked to me about them. You now, you're right, when you're charging \$20.00 and you're taking it to \$80.00 because \$20.00 is not even paying for 2. It looks like it's a lot of money, but it's not. It's a shame, but we've had to use a prosecutor. And I believe the prosecutor got someone going to jail for 59 days already. Now I know there were supposed to be more names that followed that haven't followed yet, but I'm sure they're going to follow. Look around you, folks, I'm embarrassed that the city looks the way it looks. Places that didn't have empty duplexes before and empty homes, have them now. And a lot of them are rental properties. I can't continue to represent people from various Wards and say, "Yeah, I'd live next to this." No, I wouldn't. I'd be all over the

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person who had this. We've got to stop and we've got to clean up these neighborhoods. I know to some it's a business, but to some of us it's who we represent and what they have to live next to. I'm done. I am so done. I know Councilman Mack is a man of his word. That legislation will be down here tomorrow to segregate these funds. I don't want it going for anything else other than this. I want to clean up these neighborhoods. Thank you.

PRESIDENT SCHULMAN: Thank you Member Smuckler. Leader.

MEMBER MORRIS: Mr. President. Amen, Bill. You hit every key note. Myself and a few of what you would consider younger Members of Council, came out with this three years ago. An aggressive, bold move to increase these fees. We never had the support to bring it down onto the floor, but we recognized the problem three years ago, and it is, it's the cost of doing business in the City of Canton. Member Smuckler did not leave much to say, but I am glad that...I'm pretty positive we're going to get this pushed by. I regret voting in favor of the amendment now because I really had my heart set on that \$1.2 million in the coffers, so...thank you.

PRESIDENT SCHULMAN: Thank you. Any other remarks? I just want to respond to, I'm sorry, Member West.

MEMBER WEST: Yeah, I just wanted to respond to Bill. I agree with you, that it's the cost of doing business, but just like Member Hawk said, you know, what is that cost? Let's sit down and break it out and then go forward. I don't see why holding it a week or two weeks and planning it out and saying this is really what we want, and then going forward as a whole. In my mind, it's going to take a little bit more than that \$900,000.00 to clean up our neighborhoods. It's going to take a bold, comprehensive plan to do this, and I think it's going to take some of these landlords jumping onboard with us, versus running away from us. So, that's just my added two cents.

PRESIDENT SCHULMAN: Thank you Member West. Member Hart.

MEMBER HART: I think that (*Inaudible*) You can't expect less people to do more. I know last year (*Inaudible*) pictures of grass cutting. I think at one time it was a Health Department issue and then it becomes a Building Department issue on See Click Fix. It's important and worth it in some situations (*Inaudible*) a neighbor getting even with another neighbor. Not all the time, but it creates extra problems. I have rental properties and folks that I rent to, it's going to affect the poor, the elderly and the disabled. I have tenants that I have passed (*Inaudible*) and if you look at the population and it's at or below poverty level, it's better than a third. I feel that who it's going to get passed on to. I look at the Building Department, (*Inaudible*) paying \$160.00 more. I want to make sure that all that fee goes directly to the Building Department. You know, I would be willing to support some change, with a better plan and if it's fair and equitable to everyone in the city. We already have a court system, we have a system in hand and I don't feel the need, you know, extra judges. It's there. Again, the guys that are doing right have to pay for those few that are not doing right (*Inaudible*). Any place I have, and I (*Inaudible*) people who are doing what's right.

PRESIDENT SCHULMAN: Thank you Member Hart. Let me just...any other remarks? Let me just say a couple things. I mean, you've heard me address this issue but this is not a panacea, obviously. We all know that. This is not going to revitalize these decaying neighborhoods that we all live in, every one of us. Every neighborhood in the city, every Ward in the city, suffers from the decaying of our infrastructure and our neighborhoods. Every single one of them. This is not simply confined to certain sectors. This is citywide and

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it's deplorable. It's deplorable as I've been trying to make the landlords understand, and the property owners understand, it's deplorable because the legislators in Columbus, and the Governor, have decided to go to war against the urban areas where all the people live in Ohio, because they can do it. There's \$2.2 billion dollars sitting in a surplus fund in Columbus today. I had a very cordial communication with a Ms. Myers from Marietta, who I believe serves on the school board. She sees that too. She responded, "Yes, we feel the same thing that you're feeling in Canton." That's because it's statewide. We have lost \$17 million dollars out of our General Fund in the last four years. \$17 million dollars. Where is it? It's in a fund in Columbus that holds \$2.3 billion dollars so the legislators can go home and say, "We saved all the taxes for the State of Ohio citizens and Kasich can run for president. That's where the money is, but it's not a panacea, it's not going to change our neighborhoods overnight, but ten of you signed on to this bill and I don't...I'm not criticizing the ten and some of the ten that have deviated from it, but ten of you signed on for \$100.00. I understand that some people slipped away from it for various reasons, and maybe...and I'm sure all genuinely good reasons, but nevertheless, you don't let the perfect be the enemy of the good. You do not let the perfect be the enemy of the good. I want \$100.00. I would like more, but we sat in a room here, all of us, and said \$100.00 it is and \$100.00 it will be. It's \$80.00. You know what, that's compromise. That's how Democracy works. I want \$100.00 and it just irritates me if I'm the deciding vote, to have to take less than \$100.00, but you know what, we live in a Democracy and I respect all of you, so \$80.00 it will be if I am charged with deciding this. But, ultimately, this is one piece of a big puzzle. We have some major problems in this city, I don't have to tell anyone in this room, except maybe out there. We have major problems in our community. This is a start and it's not going to be the end of it. And to answer, finally, the question of, "why don't we have this all structured and in place"? You know, you take little steps. Let's get the money first. Let's let the landlords anticipate what is going to be one of your fixed costs next year, and it's going to be \$80.00 per unit probably. Let's give you some lead time. Let's respect your business, but ultimately, we do have a lot of work to do and we're going to be able to do it. This Council is very creative and wants...this Administration is too...wants to bring this city forward. So, having said that, any other remarks? Hearing none, Madame Clerk, Ordinance 21 as amended.

NO REMARKS

ROLL CALL 6 YEAS, 6 NAYS

(MEMBERS HART, HAWK, WEST, GRIFFIN, FISHER AND DOUGHERTY VOTED NAY)

CLERK TIMBERLAKE: Six yeas, six nays, Mr. President.

PRESIDENT SCHULMAN: I cast the vote for the reasons I've stated, yea.

**#21 ADOPTED AS AMENDED AS ORDINANCE NO. 181/2015**

PRESIDENT SCHULMAN: Ordinance 21 as amended is adopted. Ordinance 22 please.

#22. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 182/2015** 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

PRESIDENT SCHULMAN: Leader Morris.

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MEMBER MORRIS: Mr. President, I move we adopt Ordinance #22.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 22. Any remarks under this Ordinance? Again hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#22 ADOPTED AS ORDINANCE NO. 182/2015**

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 22 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 28<sup>th</sup>, at 6:15 P.M.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

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

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: Community & Economic Development will meet, same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER HART: Mr. President. Personnel will meet same time.

PRESIDENT SCHULMAN: Thank you. Anyone else?

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: Miscellaneous Business. Is there any?

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MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Placed one of these in everybody's mailbox. It's Fugitive Safe Surrender, a Stark County Program. September 30<sup>th</sup> through October 3, at 9:00 a.m. to 5:00 p.m. at Trinity Gospel Temple, they will be hosting a program for people that can turn themselves in and they'll get favorable surrendering. So, if there's people out there in the community that have warrants or those types of things. This is a program that you'll have a lawyer that on your side, if you will, and they will be able to...are you familiar with this?

PRESIDENT SCHULMAN: No, but I like that slogan.

MEMBER WEST: Yeah, I found it somewhere! But interestingly enough, if you guys can take this and post it around the community and let people know that this program is out there to help individuals. And, one of the goals, I believe from my understanding, is to help people get their license back because of not going to court or whatever. I think that's a positive move, so...

PRESIDENT SCHULMAN: Great. Thanks Member West. Anyone else?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Just listen up, I don't need a response right now. We passed for more inspectors tonight and I'm sure at some point in time, we're going to go out and hire some more inspectors. But to quote Greg Hawk, see I'm quoting you, (*Laughter*). I'm sick of the 25/40 drive by. What that means is 25 mph and 40 feet away. Member Mack, I'm going to apologize to you right now because you're not going to be happy with me, but I would have said this if came into my head. We did that on sidewalks on 41<sup>st</sup> Street. We did a 25/40. 25 mph and 40 feet away. We accepted them. I'm done with this too. I'm done with the 25/40 drive-bys. Somebody better be doing their job if they're getting paid this kind of money because I heard at one of the other meetings, from some of the other Council people, "God, I'd like to quit being a Councilman and get paid some of that \$100,000.00 a year with benefits. I'm telling you, there is a lack of respect for looking at some of these issues. The respect isn't to the Council people, the respect is to the neighborhoods out there. We're spending good dollars to except inferior work. We shouldn't be doing that.

PRESIDENT SCHULMAN: Thank you Member Smuckler. Any other remarks?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Yeah, I just wanted to give a shout out to everybody that helped out Saturday at the Feed the Needy picnic. To be honest, Giant Eagle has really stepped to the plate. Each year it's gotten better, spending more money and more volunteers. Joe Kolacsky and his group. They were there 10 minutes before I got there, and I'm usually the first one there. So, they donated over \$2500.00 worth of stuff. That was great. Appreciate all the cooks. The usual, R.A. was there, one of his employees, John Slebodnik and Uncle Ronnie

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and Squeak from Cindy's group. And then Fonda was late but I appreciate you coming. A lot of volunteers. Gary Young's there every year helping out, Andrea Perry showed up, Mayor Healy was there, thank you. Brian Horner, ex Councilman, and his family's there every year. We have the cheerleaders that come and do face painting and stuff for the kids. Swat Team was there, so that was great. I think they were looking for Fonda, that's why he was late! (*Laughter*). Thanks to the Council Members that were able to come. Majority Leader Morris and his wife, Kevin Fisher & family, Jim Griffin, Chris Smith, Bill & Randi Smuckler, thank you. Appreciate it. Thank you to the staff, especially Cindy, who I couldn't get this accomplished without her. So, I appreciate it. Thank you very much to everybody. (*Applause*).

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: If...I'd like to...every year after Feed the Needy, Member Dougherty comes in here with a long list of people to thank. Every year he thanks everybody and I'm actually disappointed because I reached out to the Repository because I think that Member Dougherty is not the type that does anything for recognition. He sat out to do this and he has turned this into a Council event. It's not about Dave Dougherty. It's not about Ward 6. It's about helping people who need help, to go above and beyond for the community. I personally would like to thank Dave Dougherty, on behalf of everybody in Ward 9. (*Applause*).

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: First of all, Dave, I'm glad to see you were able to slip Frank that money before the meeting, that was good. (*Laughter*). I just wanted to point out that Joe Kolacsky, from Giant Eagle, big help every year. McKinley, class of '95. Just pointing out, we're all over the place, you can't avoid us. Dave does a tremendous job of that. I have a blast helping out every year. My dance partner, Jill Wood, not in this evening, but we had a good time out there. We got some pictures of it, but they're all still photos so you can't see my shocking lack of rhythm. (*Laughter*). But that's the nice thing about not having a video. But also, Cindy Timberlake really runs everything down there. Dave just gets the standing ovation. Cindy runs everything down there. (*Applause*). She's amazing. Thank you. (*Applause*).

CLERK TIMBERLAKE: Thank you. It's my pleasure.

PRESIDENT SCHULMAN: Thank you Member Fisher. Thank you Clerk. Member Hart.

MEMBER HART: Yes, I just wanted to address the gentleman that came up tonight. I have always fought for the environmental issues in this town. And I'm not trying to (*Inaudible*) with poison. (*Inaudible*). Bottom line, I think at last count, the City has spent over \$2,000,000.00 cutting grass over the last few years. And we gotta look at different ways to do that. At the Chamber meeting I said that I believe that the Youngstown area had done something with this. I think (*Inaudible*) way to solve the problem. You know, you can spread the seeds out in the mulch and they'll grown and people said (*Inaudible*). But they look a heck of a lot better than the high grass that we had. A simple way to beautify your house is to plant flowers. A simple way to beautify those vacant lots, by putting something that's pleasant to look at in it. (*Inaudible*) That's all. Thank you.

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PRESIDENT SCHULMAN: Thank you Member Hart. Leader

MEMBER MORRIS: Motion to adjourn.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: (*Gavel falls*) Thank you Madame Clerk. Meeting's adjourned. Drive carefully everybody.

ADJOURNMENT TIME: 8:55 P.M.

ATTEST:  
CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

APPROVED:  
ALLEN SCHULMAN  
PRESIDENT