

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

OCTOBER 22, 2012

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Mack Absent

INVOCATION: Kevin Fisher, Ward 5 Council Member

PLEDGE OF ALLEGIANCE: President Allen Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#5, add 2nd Rdg O#6 -O#11; Adopted O#5 on 1st Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Neal Libster has been a housing provider in Canton for 60 years and he thought this was a community that appreciated investors and providers of housing for low to moderate income families. He has enjoyed a relationship with the Code Department to keep his place clean and safe for the tenants. He is now concerned with the recent request to increase fees by 500%. He would like to meet with any Council Members that may be interested to show them his books to provide that he is not rolling in money and cannot afford an increase of any type. Dan Coen is a partner in the DDK Group and has spent over \$6,000,000.00 in the last 11 years in acquisitions and rehabbing properties in Canton. He sat in on several meetings a couple of years ago when the fees were changed and while he did not win his argument, he did stop any further acquisition at that time. Dan's family, including his grandfather who brought Coen Oil to this area in the 1930's still invests in Canton and while living in Massillon he could put his money in other cities. He is opposed to any further increases and paying more to maintain his properties may bring him down. Michael King of King Properties has 200 units in the city and has an office in downtown Canton. He has worked on numerous city boards including the Construction Board and Fair Housing. He has worked with the Special Improvement District to start the Farmers Market and Color Downtown. He loves to buy vacant and nuisance properties and fix them up. He has also completed store fronts in downtown along with working on the Wilson Pointe Apartments. This area of the city truly has the potential to be a revitalized neighborhood. The legislation to increase fees will lead to investors stopping these projects and having more vacant and nuisance properties in the city. David DeChiara is a landlord that works for a living. He is not wealthy and the bank is who owns his buildings. The neighborhoods where his rental homes are have become worse even after the fees were already increased. The rental rates have gone down in order to keep tenants and the water, sewer, inspection and other rates have gone up. This fee is purely for money to help an ailing city and the services will not change. He would sell all his properties and Canton and move them to Perry Township tomorrow if possible where there are no fees for rental property owners.

INFORMAL RESOLUTIONS:

57. WARD 8 CNCL MBR MACK: EXTENDING TEMPORARY MORATORIUM SET FORTH IN INFORMAL RESOLUTION #37 (SKILL GAMES). - ADOPTED

COMMUNICATIONS:

378. DEVELOPMENT DIRECTOR WILLIAMS: REQUEST CANCELLATION OF COMMUNICATIONS #364 AND #365 FROM 10/15/12 AGENDA. - RECEIVED & FILED

379. DEVELOPMENT DIRECTOR WILLIAMS: AUTHORIZE MAYOR TO SUBMIT & FILE W/HUD FISCAL YR 2013 ANNUAL ACTION PLAN; AUTHORIZE MAYOR TO REVISE &/OR AMEND THE CONSOLIDATED PLAN & BUDGETS FOR CDBG, HOME & ESG PER CITIZEN'S PARTICIPATION PLAN. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

380. MAJORITY LEADER DOUGHERTY: AMEND CHAPTER 105, CONTRACTS, OF ADMIN CODE OF CODIFIED ORDINANCES. - JUDICIARY COMMITTEE

381. SERVICE DIRECTOR PRICE: AMEND LANGUAGE OF CODIFIED ORDINANCE 975.08 (f) TO ADD OR CLARIFY THAT "VACANCY" BE ESTABLISHED BY REQUISITE AFFIDAVIT OR OTHER ACCEPTED PROOF. - JUDICIARY COMMITTEE

382. SERVICE DIRECTOR PRICE: NOTIFICATION THAT THE CITY WILL NOT ENTER INTO A PLA FOR THE WATER DEPT VALUE MAINT PROG AND GIS MAPPING PROG PROJECTS. - RECEIVED & FILED

383. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO ENGINEERING CONSULTANT CONTRACT W/URS CORP FOR 11TH ST SE, INTERSECTION & ROADWAY IMPROVEMENT PROJ, PID 90465, GP 1144; AUTHORIZE AUDITOR TO ESTABLISH & CREATE THE 4568 FUND (11TH ST SE, INTERSECTION & ROADWAY IMPROVEMENT PROJ, GP 1144) TO TRACK PROJ REVENUE & EXPENDITURES; MAKE SUPP APPROP OF \$247,920.00 FROM 4568 UNAPPROP BAL TO 4568-202095 (11TH ST SE, INTERSECTION & ROADWAY IMPROVEMENT PROJ, GP 1144); MAKE SUPP APPROP OF \$61,980.00 FROM 4501 (CAPITAL FUND) UNAPPROP BAL TO 4501-202095 (CAPITAL - 11TH ST SE, INTERSECTION & ROADWAY IMPROVEMENT PROJ, GP 1144); AUTHORIZE MAYOR &/OR SERV SIR TO ENTER INTO COOPERATIVE AGMTS WITH OTHER

COMMUNICATIONS CONTINUED:

PROJ STAKEHOLDERS; AUTHORIZE AUDITORS TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE MAYOR &/OR SERV DIR TO MAKE APPLICATION FOR AND REC MONIES FROM CLEAN OHIO ASSISTANCE FUND FOR ASSESSMENT OF PROP KNOWN AS JEFFERIES FORMER REPUBLIC STEEL MILL PROJ AND ENTER INTO CONTRACTS &/OR AGMTS FOR ANY NECESSARY ARRANGEMENTS ASSOCIATED WITH ASSESSMENT WORK; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 2. AMEND APPROP O#220/2011; EMERGENCY (\$424,519.00 FROM UNAPPROP BAL 1001 GENERAL FUND TO FIRE ADMIN - OTHER \$45,000.00, CENTRAL COM ADMIN - PERSONNEL \$250,000.00, CENTRAL COM ADMIN - OTHER \$89,019.00, GEN GOVT SUPPORT ADMIN - OTHER \$35,000.00, CIVIL SERV ADMIN - OTHER \$5,500.00)
Referred to Finance Committee
- 1ST RDG 3. AUTHORIZE SERV DIR TO ENTER INTO MGMT SERV CONTRACT W/CANTON CITY HEALTH DISTRICT BOARD OF HEALTH TO PROVIDE MGMT OVERSIGHT OF CANTON CITY SANITATION DEPT IN AN AMT NOT TO EXCEED \$60,000.00; EMERGENCY
Referred to Personnel and Finance Committees
- 1ST RDG 4. AUTHORIZE SERV DIR TO ENTER INTO AGMT W/HRM ENTERPRISES, INC TO SELL CANTON CITY WATER TO BUSINESSES OWNED BY HRM; EMERGENCY
Referred to Environmental & Public Utilities Committee

(COUNCIL RECESSED AT 7:51 P.M. FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #5; RECONVENED AT 7:54 P.M.)

- 173/2012 5. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CHANGE ORDER #1 WITH CENTRAL ALLIED ENTERPRISES IN AN AMT NOT TO EXCEED \$250,000.00 FOR 2012 CITY PAVING CONTRACT, GP 1181; AMENDING APPROP O#220/2011; EMERGENCY (\$75,000.00 FROM UNAPPROP BAL 4501 CAPITAL FUND TO 4501 202260 CAPITAL FUND - STREET PAVING - OTHER)
Referred to Public Property Capital Improvement Committee

ORDINANCE & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD O#6 - O#11)

- 2ND RDG 6. AMEND APPROP O#220/2011; EMERGENCY (\$154,054.00 FROM UNAPPROP BAL OF 2331 TO 2331 APC FUNDS - OTHER - HEALTH DEPT) (FIN)
- 2ND RDG 7. AMEND APPROP O#220/2011; EMERGENCY (\$53,000.00 FROM UNAPPROP BAL OF 1105 POLICE SETTLEMENT FUND TO 1105 753001 LAW DEPT - OTHER) (FIN)
- 2ND RDG 8. AMEND APPROP O#220/2011; EMERGENCY (\$15,096.00 TRANSFER FROM 4502 103501 CENTRAL COMMUNICATION - OTHER TO 4502 103001 FIRE ADMINISTRATION) (PPCI)
- 2ND RDG 9. AMEND CHAPTER 955, WATER, OF CODIFIED ORDINANCES (WATER COMMISSION) (JUD)
- 2ND RDG 10. AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT MODIFICATION #2 W/ME COMPANIES IN AMT NOT TO EXCEED \$686,323.00 TO COMPLETE BALANCE OF DETAILED DESIGN ENVIRONMENTAL DOCUMENTATION & RIGHT-OF-WAY WORK FOR THE 12TH STREET N CORRIDOR PROJ; AMEND APPROP O#220/2011 BY MAKING \$39,536.56 SUPP APPROP FROM UNAPPROP BAL OF 4563 12TH ST N CORRIDOR PROJ GP 1098 TO 4563 202077 12TH ST N CORRIDOR PROJ GP 1098 - OTHER; EMERGENCY (PPCI)
- 2ND RDG 11. RESOLUTION ACCEPTING AMTS & RATES DETERMINED BY BUDGET COMMISSION & AUTHORIZING NECESSARY TAX LEVIES & CERTIFYING THEM TO COUNTY AUDITOR (FIN)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE:

- 174/2012 12. AMEND APPROP O#220/2011, AS AMENDED, BY MAKING \$24,050.64 SUPP APPROP FOR THE COMMUNITY SANCTIONS GRANT FUND & A \$27,030.88 APPROP TRANSFER FOR THE COMMUNITY SANCTIONS GRANT FUND; EMERGENCY
- 175/2012 13. AMEND APPROP O#220/2011, BY MAKING \$25,000.00 SUPP APPROP FOR 2318 HIV PREVENTION FUND; EMERGENCY
- 176/2012 14. AMEND APPROP O#220/2011; BY MAKING \$600,000.00 SUPP APPROP FOR 2316 WIC; EMERGENCY
- 177/2012 15. AMEND APPROP O#220/2011, BY MAKING \$675.00 SUPP APPROP FOR 2784 2009 BYRNE MEMORIAL CANTON JUSTICE ASST GRANT FUND; EMERGENCY
- 178/2012 16. AUTHORIZE & CONSENT TO MISC BRIDGE REPAIR & MAINTENANCE ON THE STRUCTURE AT I77-9.08R OVER THE NORTHBOUND RAMP ON IR77; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, OCTOBER 29, 2012 in Council Caucus Room at 6:45 P.M.**

- 1) Finance Committee
- 2) Environmental and Public Utilities Committee
- 3) Personnel Committee
- 4) Community and Economic Development Committee

MISCELLANEOUS BUSINESS: Member Smith would like all Council Members to consider Communications before sending them into the office. While any Member can submit items for the agenda, sometimes it is best to have a discussion about things and have respect for how it effects other Wards. Member Griffin agrees with those statements. Member West had a landlord tell him that he would be speaking with his tenants about why Council was increasing these fees. With the large recession, many people have been losing their homes and now Canton is relying on these landlords to house their constituents. If the Rapid Housing dollars did not exist, many landlords who received money to help with tenants that fell behind would not have been able to assist and there would be even more homeless in Canton. These Communications need to be sensitive to the needs of all. Member Mariol is aware of the increase from two years ago and this was to have helped Code dollars go down and that did not happen. Since this money comes out of General Fund, it is preventing the hiring of Police and Fireman and doing projects like paving roads. If more money is collected in fees that can be spent for demos, everyone's property values will go up. He agrees that a discussion needs to take place about this issue to correct problems that have been wrong for years. Member West thought that the revenues in Code Enforcement have gone up. Finance Director DiRuzza states that revenues have gone up but so have costs. Member West asks if the revenues now cover the costs. Finance Director DiRuzza will need to obtain the exact figures to answer this question and will send the information down. Member West has challenged a Massillon Councilman to wear opposing school jerseys to their meetings for the winners of the Massillon/McKinley football game. Member Dougherty states that paving money does not come from the General Fund, it is from Capital Fund money. If any Council Member thinks that these landlords won't leave the city, they will. These fees are being put on the backs of people who cannot afford it and he feels this Communications is messing with the constituents in his Ward and he does not like it.

ADJOURNMENT: 8:11 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 29, 2012 @ 7:30 PM