

MINUTES OF THE MEETING JUNE 15, 2015

PRESIDENT SCHULMAN: Good evening, Ladies and Gentlemen. Welcome to Canton City Council. We appreciate you all being here this evening. Uh, before we begin our meeting, we had a new entry into the world last week. His name is Zeke. His last name is Gordon. He's Derek Gordon's new son. (*Applause*) Now congratulations, but, you know, you did very little of the work. (*Laughter*) (*Inaudible voice from the audience*) Congratulations, Derek, all the happiness to you. And believe me it goes (*snaps his fingers*) like that. So, enjoy... enjoy it while it's there. Um, with a quorum being present, the Chair does call this meeting of Canton City Council to order. Roll call vote, please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER DOUGHERTY ABSENT)

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Leader.

MEMBER MORRIS: Mr. President, I move we excuse Member Dougherty from tonight's meeting.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Dougherty from this evening's meeting. 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. Tonight's invocation will be given by my very good friend, Ward 8 Council Member, Edmond Mack. Will you all stand and please remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on June 15, 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 Edmond Mack, Ward 8 Council Member. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you, Member Mack. Saying the Pledge of Allegiance reminded me that unlike the West coast where they hear Metallica doing the... you know, the Star Spangled Banner, we had Usher. So how cool are we? Right? (*Laughter*) You like Metallica, Leader? Okay. Anyway, Leader, we're now under Agenda Corrections and Changes.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances O#12 through and include O#16.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 12 through 16 to this evening's agenda. Any remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Motion carries, and those Ordinances are a legal part of your Agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We turn now to Public Hearings. We actually have one this evening. And it's AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE LESH-EVERETT ANNEXATION AREA CONTAINING APPROXIMATELY .4936 ACRES, ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY, ZONING SAID TERRITORY AS R-2, TWO FAMILY RESIDENTIAL; PLANNING COMMISSION HAS RECOMMENDED APPROVAL OF THE SAME. Is there anyone in the audience wishing to speak for or against this Annexation, will you please step forward. And I have to repeat one more time... Is there anyone in the audience wishing to speak for or against this Annexation, will you please step forward at this time. Seeing no one step forward, the Chair declares the public hearing over in regard to this matter and the matter will rest in the hands of Council later this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: Turning now to Old Business, Deputy Mayor, Fonda Williams, is unavailable to be here tonight. He's on Mayoral business. But I do know that there was a comment by one public speaker last week, and I believe that was remedied.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks. We have four... three... three speakers tonight. Our first is Jonathan Bailey. Mr. Bailey is always welcome. If you'll step forward, sir, and give us your name and your residential address, please.

JONATHAN BAILEY: Uh, name is Jonathan Bailey at 405 Third Street, Canton, Ohio. Um, I was wanting to know who all would be willing to sponsor getting this here downtown vendor's license at least back up to debate, if not repealed. I was just told that I have to prove that this is unusually burdensome to people that who want to try and do things. I do believe the evidence of your eyes should be enough cause there is nobody downtown selling anything except that the special venues can afford to. But I will go home and do some research and adjust cost of living and vendor's fees from various cities across the country to prove my point. Uh, another issue is I just found out... I'm trying to start a business here to make a service for other businesses, right. I got an ad space and I have a sales platform on that trike that's out front. That's my idea. Now I'm being told that if I put lights on this thing, which is part of my ad service ideas, this is gonna cause a problem? There's an ordinance I can't have lights? I could have lights all over my mountain bike. That was like no problem last year, remember? That thing was so bright you could see it from space. Nothing. It's... I don't know, alright. I was told there was gonna be a problem with that. Uh, there was a fellow who wanted me to sell

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his tee-shirts for him and... as well as advertise these tee-shirts. I told him he was gonna have to cover the vendor's fees and the insurance. I figured that was fair being it was his product. He backed down because he can't afford those fees. That's somebody with a brick and mortar business that you're trying to protect that can't advertise or sell their stuff with my idea. It's just astounding how this is not... there's a lot more restrictions here than I ever thought possible. This is... I don't understand this. I really don't. I have to go and do some research on these vendor's licenses and prove to you guys that the reason why you don't see anybody down here daily selling stuff is because of these vendor's fees. It's obvious to me. I don't... I don't know. Maybe I have a different brain or something. I don't know. So, thank you very much.

PRESIDENT SCHULMAN: Thank you, Mr. Bailey, very much. Appreciate it. Our next speaker is Bruce Nordman. Mr. Nordman is always welcome to Canton City Council. If you'll give us your name and your residential address, please.

BRUCE NORDMAN: Thank you. Uh, my name is Bruce Nordman. I reside at 1623 Logan Avenue NW. I'm here representing Vassar Park Neighborhood Association and the other associations to speak about what came up last week as a very disturbing subject in terming... in terms of renters and the problems that renters are having with bad landlords. Now, we know in the City we've got many good landlords, many good tenants, and we know we got some bad apples on the other side of the case. But the landlords, through their associations, are very well organized and the renters come in and have nobody to turn to besides you folks and other people that they really got to struggle to find out how to proceed to get satisfaction with bad landlords. I would suggest that between Law... the Law Director, City Council, and the Administration that we come up with a renter's bill of rights that when the contract is signed between a landlord and renter, the renters know that if the landlord violates any of those agreements they know the offices to call pertaining to specific subjects where there is violations incurred. We also have been talking for about the last year about a nuisance officer, and we need somebody with experience in this area, and there are several people who are well qualified that could fill this job to get out there and to do the leg work and the pick and shovel work to get all of the violations that are occurring on both sides of the issue, but particularly I'm talking about the renters because they don't have an organization. They're standing all by themselves, and they're getting beat up, and we oughta be talking about escrows and we oughta be coming up with some legal documents that a renter can have as his protection provided to by the City, and again I don't want to put any penalties on the good landlords by financial burdens that they have to absorb because they're already doing the job. It's the bad apples in town that are really hurting the City because their properties decrease in value because they're trashed and junked, and they just continue to thumb their noses at the City and nobody seems to have an answer as to what to do. We need a big hammer here, and I'm counting on this Council, the Law Director, and the Administration to get together to come up with a renter's bill of rights that gives the renters some teeth that they can satisfy their problems. Thank you very much for your attention and your courtesy.

PRESIDENT SCHULMAN: Thank you, Mr. Nordman, as always. (*Applause*) Our last speaker is John Laughlin. Mr. Laughlin, good evening. If you'll step forward and give us your name and your residential address, please.

JOHN LAUGHLIN: Uh, good evening. I'm John Laughlin and I reside at 1743 Market Avenue North in Canton here. Uh, I'd like to thank you all for giving me the opportunity to speak tonight, and I've just got a few things I'd like to get off my chest. Uh, firstly a complaint driven inspection system of rental properties in this City is next to useless. Neighbors can complain only about the exterior issues of the property, even if they know of issues on the interior. Only the tenants of a unit can bring Code to the inside. Now, however, a lot of the tenants either don't know or they're afraid to do that. And yes, I know State law is supposed to protect those

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tenants from retaliation by the landlord, but unless you know your rights and you're able to enforce your rights effectively, you're pretty well for lack of a better description, you're screwed. There is also an issue of following through with what can already be enforced. Most of the time it takes more than one city department to see a problem through to its finish. Now the rental investment business is exactly that. It's a business. And local government is about serving the people that authorize its existence. Yes, the business community should have a say in this also, but what about protecting those in a position least able to enforce their interests. There's no doubt in my mind that we have many slum lords running their businesses in Canton and we also have just as many trashy tenants to complement them. We also have numerous landlords and tenants that are great assets to this City. Now if we force landlords to provide better standards of housing, and those same landlords will also seek to protect their investments by renting to a better standard of tenant. If landlords already provide or exceed the standards that are in place, maybe there should be a way to reward them also. Let's say for example that we had a yearly inspection program and a landlord passed inspection with flying colors on the first visit. Maybe that particular property could be given an extra year till it was time to reinspect. I'm sure there are other ways to reward those landlords that are assets to the City, and I'm sure they would have suggestions on what would be appropriate incentives for them. Now the costs that landlords will be burdened with will no doubt be passed onto tenants, but every other cost associated with a home is already passed onto them in some form or another. Landlords wouldn't be in the business if they weren't making money. However, I believe those costs are a small price to pay for a better community for all interested parties. It's time for Canton to adopt better standards and to actually enforce them to the benefit of all. It's time for Canton to actually sink its teeth into the business owners that contribute only to the detriment of this City. All I ever hear about is changing the perception people have of Canton. That's just a bunch of hot air and wishful thinking. The only thing that changes perception is action. There are already a lot of us as individuals and as neighborhood associations that have been taking action. Some people just like to ridicule or label people like me as complainers. But it's people like myself that are going to make this City a better place. I'd like to ask you guys tonight just to be a partner to that action rather than an impediment to it. So I thank you so much for your consideration tonight.

PRESIDENT SCHULMAN: Thank you, Mr. Laughlin. Appreciate it. (*Applause*) I want to, since we had two speakers, address the landlord tenant problem in our City. Uh, I want to turn to the Deputy Chief Counsel, Kristen Bates Aylward, for a moment, but to preface what our Deputy Chief Counsel will say to members of Council and the press and the public, we did invite Jennifer Fitzsimmons who is the Chief Assistant Prosecutor for Law Director Martuccio to come to tonight's meeting because she's done the enormous lion share of the work that our Deputy Chief Counsel will tell you about. I will also tell you that City Council members had a very robust and intelligent debate about this very subject, and if you'll note on our agenda tonight there is a... if you'll turn to Communication 215 for those of you who have it, there are going to be proposed amendments to the codified ordinances of this City relating to landlord tenant matters. We all have adopted the political courage and the will to do this because we here what you're saying and we believe that both sides need to be protected, but particularly the owners of rental units have to start carrying their fair share in our City. So, with that I'll turn it over to Kristen for commentary on and explanation of what the Law Department has been doing at the behest and the urging of Canton City Council and the Administration. Deputy.

KRISTEN BATES AYLWARD: Thank you very much. First of all, I'm Kris Bates. I'm here from the Law Department. And Jennifer apologizes. She had a child care issue and so she was not able to come tonight. However, first of all I want to thank both of my neighbors who, you don't know me, but I live on 25th Street so I'm neighbors of Vassar Park and also of the gentleman at 17th and Market, and from walking my neighborhood I know very well of what you speak, so I understand. Uh, Council absolutely has put its foot down and had, as they called it, a robust meeting, and gave the Law Department some marching orders. I am pleased to announce

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that some of those have been completed by Jennifer and the hard work of our Code Department and our Code Enforcement. Um, a particularly troublesome landlord has been charged with five zoning violations and four misdemeanor of the first degree code violations. Those are punishable by six months in jail and up to a thousand dollar fine for each violation. Those were filed on 6-9, 6-11 and 6-15 respectively. Um, she is reviewing two other serious offenders that own multiple units in the City who have engaged in some legal machinations that we're trying to unravel, but we are dedicated to filing on those as well. Those should be done within the next two weeks and Jennifer assured me tonight when I spoke with her that she will come in two weeks and give an update on the charges that have been filed. Um, if anyone doubts the seriousness of this I think that... um, I was gonna say that warrants have been issued and in fact I think one might have just been executed tonight on these charges, so...

PRESIDENT SCHULMAN: And the name of that landlord is... it's public record.

KRISTEN BATES AYLWARD: The one that we have just filed against...

PRESIDENT SCHULMAN: Yes.

KRISTEN BATES AYLWARD: ...and who I believe is chatting with law enforcement now is Mr. Roland Burns. The other two that are being investigated I am not going to talk about at this time because they're actively being investigated, but I think that we'll have charges against them in the next couple of weeks.

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

MEMBER SMUCKLER: Mr. President, several years ago we did this with the parking situation, and The Repository, WHBC, and some areas of the news media reported the top ten worst offenders. And I believe that your charge was to get these top five offenders to get into Court. Is that correct?

KRISTEN BATES AYLWARD: Yes, Councilman, it was. And they are offenders in the worst sense in that they have multiple properties and very bad violations.

MEMBER SMUCKLER: And the other four offenders who didn't get a... who didn't have a problem with law enforcement here tonight, those should be dealt with in the next couple weeks then?

KRISTEN BATES AYLWARD: Yes. And Jennifer also invited Council, and we talked about it at the meeting, if there are any particular problems that we're unaware of in your wards, to please contact her directly and let her know so that that can be investigated as we're doing what I guess I'll term as, as crack down.

PRESIDENT SCHULMAN: Thank you, Member Smuckler. Leader Morris.

MEMBER MORRIS: Yes, Mr. President. A question. I know that Attorney Jason Reese was actively pursuing an individual in my ward. Is this connected with the crack down on these particular landlords? Because this happens to be a landlord slash lover of a vacant property I guess, it's a wack job in my ward. Are we going to see this aggressive nature continue through the summer as promised is basically what I'm getting at?

PRESIDENT SCHULMAN: Law Director.

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KRISTEN BATES AYLWARD: I am sure, as all Council has let me know, that we will be or you'll be calling us, so I think that that is clear and understood, and please feel free to call me as well if you aren't getting response from any members of our office.

PRESIDENT SCHULMAN: Thank you. Any other comments? Okay, hearing none, we'll... we appreciate the public speaks. Thank you for coming down. I hope that news was of interest to you. Sorry? (*Inaudible voice from the audience*) Yeah. Alright. That concludes Public Speaks.

INFORMAL RESOLUTIONS

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

COMMUNICATIONS

PRESIDENT SCHULMAN: Turning now 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 JUNE 1, 2015.

212. AUDITOR MALLONN: MONTHLY RPT BY FUND FOR 5/1/15 THRU 5/31/15. - RECEIVED & FILED
213. AUDITOR MALLONN: YRLY RPT BY FUND FOR 1/1/15 THRU 5/31/15. - RECEIVED & FILED
214. STARK CO. AUDITOR HAROLD: CERTIFICATE OF ESTIMATED PROPERTY TAX REVENUE. - RECEIVED & FILED
215. COUNCIL MEMBERS: COUNCIL AT LARGE BABCOCK, COUNCIL AT LARGE HART, COUNCIL AT LARGE SMUCKLER, WARD 1 COUNCIL MEMBER HAWK, WARD 2 COUNCIL MEMBER WEST, WARD 3 COUNCIL MEMBER GRIFFIN, WARD 4 COUNCIL MEMBER SMITH, WARD 7 COUNCIL MEMBER MARIOL, WARD 8 COUNCIL MEMBER MACK, WARD 9 COUNCIL MEMBER MORRIS, COUNCIL PRESIDENT SCHULMAN: AMEND CODIFIED ORDINANCE 1351.03, AMENDMENTS, DELETIONS AND SUPPLEMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE IN ORDER TO UPDATE AND RECONCILE APPLICABLE FEES. - JUDICIARY COMMITTEE
216. SAFETY DIRECTOR PERRY: APPROVE DEMOLITION OF BUILDING LOCATED AT 1454 EASTVIEW AVENUE NE ON BEHALF OF BUILDING DEPT. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
217. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH AKRON METRO REGIONAL TRANSIT AUTHORITY, PUBLIC UTILITIES COMM OF OHIO, AND OHIO RAIL DEVELOP COMM; AUTHORIZE CITY TO ACCEPT GRANT MONEY ASSOC WITH CONSTRUCTION OF PROJ; AUTHORIZE CITY TO PERM CLOSE RAILROAD CROSSING AT SECCOMBE PLACE SW AND 2ND STREET SW; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

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218. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH BELL EQUIPMENT CO. FOR PURCH OF ONE (1) REAR-LOADING PACKER TRUCK, FOR ESTIMATED AMT OF \$240,000.00 IN ACCORD WITH ORC 9.48 AND CODIFIED ORD SEC 105.11 (COOP PURCH), WHICH EXEMPTS PURCH FROM REQUIREMENTS OF COMPETITIVE BIDDING; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHER (SANITATION DEPT). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
219. SERVICE DIRECTOR BARTOS: REQ \$11,000.00 SUPP APPROP FR UNAPPROP BAL OF THE 4501 CAPITAL FUND TO 4501-202001 ENGINEERING ADMINISTRATION - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (TRAFFIC SIGNAL MOD - 6TH STREET SE). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
220. SERVICE DIRECTOR BARTOS: REQ \$23,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501-202001 ENGINEERING ADMINISTRATION - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (BIRCHDALE ROAD NW STORM SEWER PROJECT) . - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
221. SERVICE DIRECTOR BARTOS: REQ \$15,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501-202001 ENGINEERING ADMINISTRATION - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (GRENADA DRIVE NE STORM WATER PROJECT). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
222. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT FOR PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROF SERV CONTRACT FOR CONSTRUCTION OVERSIGHT SERV FOR PROJ; MAKE \$330,000.00 SUPP APPROP FR UNAPPROP BAL OF THE 5410 SANITARY SEWER FUND TO 5410-206316 MONUMENT ROAD NW SANITARY SEWER REPLACEMENT PROJECT, G.P. 1218 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
223. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH MICHAEL BAKER JR. INC. FOR CONSTRUCTION OVERSIGHT SERV FOR PROJ; MAKE \$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410-206314 EAST SIDE INTERCEPTOR SANITARY SEWER REPLACEMENT PROJECT, G.P. 1113 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
224. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL AGMTS WITH OHIO DEPT. OF TRANSPORTATION NECESSARY FOR COMPLETION OF THE STA 77/687 9.5/0.00/2.57, PID 100287, GP1228 PROJECT; INCLUDE ALL INFO CONTAINED IN ATTACHED SAMPLE LEGISLATION. - FINANCE COMMITTEE
225. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ONE-YEAR AGMT WITH ARTSINSTARK, WITH OPTION OF NINE (9) ONE-YEAR RENEWALS

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IF MUTUALLY AGREED TO BY BOTH PARTIES, FOR PURPOSE OF SHARING USE AND COST OF TWO (2) ELECTRONIC MESSAGE BOARDS AT CANTON MEMORIAL CIVIC CENTER AND CULTURAL CENTER FOR THE ARTS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

226. STARK COUNTY AUDITOR HAROLD: CERTIFICATE OF ESTIMATED PROPERTY TAX REVENUE (PARK LEVY). - PARKS & RECREATION AND FINANCE COMMITTEES
227. TREASURER PEREZ: LTR ADVISING THAT CITY INCOME TAX DEPT WILL BE CLOSED TO PUBLIC FROM 6/18/15 THRU 7/6/15 FOR INSTALLATION OF NEW INCOME TAX SOFTWARE. - RECEIVED & FILED
228. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR MAY 2015. - RECEIVED & FILED
229. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX ACCT FOR MAY 2015. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for the First Reading. Madame Clerk, would you please begin with Ordinance 1.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #11 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$500,000.00 SUPP APPROP FR UNAPPROP BAL 2211 506001 FUND TO 2211 506002 - OTHER)
(Referred to Community & Economic Development Committee)
- #2. (1ST RDG) AN ORDINANCE AMENDING THE CAPTION AND SECTION 1 OF ORDINANCE NO. 50/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (INCLUDE SERV DIR AS SIGNATORY AND DESIGNEE)
(Referred to Judiciary Committee)
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS AND NECESSARY ACCESSORIES IN AN AMOUNT NOT TO EXCEED \$75,000.00 AND APPROXIMATELY 30 SETS OF STRUCTURAL FIREFIGHTING PROTECTIVE GEAR AND NECESSARY ACCESSORIES IN AN AMOUNT NOT TO EXCEED \$73,000.00; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO STATE COOPERATIVE PURCHASING AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
(Referred to Public Property Capital Improvement Committee)

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(COUNCIL RECESSED AT 7:52 P.M. FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #4; RECONVENED AT 7:53 P.M.)

#4. (1ST RDG) **ADOPTED AS ORDINANCE NO. 114/2015** AN ORDINANCE DECLARING THE 9 BUILDINGS LISTED ON EXHIBIT A TO BE PUBLIC NUISANCES; AUTHORIZING THE DIRECTOR OR 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: And at this time the chair will declare an in house recess for the Community & Economic Development Committee to meet in regards to Ordinance #4 on your agenda. You're now in recess. Chairman.

PRESIDENT SCHULMAN: Thank you, Madame Chair. Appreciate it. Council will reconvene after its recess, Leader.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinance #4 back on this evening's agenda.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to place Ordinance #4 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. Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #4.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 4. 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. Leader, you've heard the three readings.

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MEMBER MORRIS: Mr. President, I move we adopt Ordinance #4.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #4. Any remarks?
Hearing none again, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAY

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#4 ADOPTED AS ORDINANCE NO. 114/2015

PRESIDENT SCHULMAN: Thank you Madame Clerk. Motion carries. Ordinance 4 is adopted. Ordinance 5, please.

#5 (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$3,203.15 TO COPECO INC. FOR THE PAYMENT OF COLOR COPIES FOR THE DETECTIVE BUREAU; AND DECLARING THE SAME TO BE AN EMERGENCY
(Referred to Finance Committee)

#6 (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$4,877.96 TO DELL MARKETING LP FOR THE PURCHASE OF THREE COMPUTERS AND A COMPUTER TABLET; AND DECLARING THE SAME TO BE AN EMERGENCY
(Referred to Finance Committee)

#7 (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$1,250.00 TO PSYCHOLOGICAL & FAMILY CONSULTANTS, INC. FOR A FITNESS FOR DUTY EXAMINATION; AND DECLARING THE SAME TO BE AN EMERGENCY (DECEMBER 2014 - FEBRUARY 2015)
(Referred to Finance Committee)

#8 (1ST RDG) A RESOLUTION DESIGNATING PUBLIC MONEYS AVAILABLE FOR ACTIVE AND INTERIM DEPOSITS AND DESIGNATING DEPOSITORY BANKS FOR SAID DEPOSITS (ACTIVE DEPOSITS - \$10,000,000.00; INTERIM DEPOSITS - \$45,000,000.00; ELIGIBLE DEPO. BANKS: CITIZENS BANK, FIRST MERIT BANK, FIFTH THIRD BANK, KEY BANK, SKY BANK, JP MORGAN CHASE BANK, PNC, NA BANK, HUNTINGTON NATIONAL BANK, US BANK)
(Referred to Finance Committee)

(COUNCIL RECESSED AT 7:58 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCES #9 AND #10 RECONVENED AT 8:00 P.M.)

#9 (1ST RDG) **ADOPTED AS ORDINANCE NO. 115/2015** AN ORDINANCE AUTHORIZING

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THE MAYOR TO ENTER INTO AGREEMENT WITH THE SUPREME COURT OF OHIO TO ACCEPT A TECHNOLOGY GRANT IN AN AMOUNT NOT TO \$51,150.00 FOR THE DEVELOPMENT AND IMPLEMENTATION OF A DIGITAL SIGNAGE PROJECT; AUTHORIZING THE AUDITOR TO CREATE THE 2796 COURT TECHNOLOGY GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$51,150.00 SUPP APPROP FR UNAPPROP BAL OF THE 2796 701001 COURT TECHNOLOGY GRANT FUND TO 2796 701001 COURT TECHNOLOGY GRANT - OTHER)

(Referred to Finance Committee)

#10 (1ST RDG) **ADOPTED AS ORDINANCE NO. 116/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO AN AGREEMENT WITH THE METRO REGIONAL TRANSIT AUTHORITY, PUBLIC UTILITIES COMMISSION OF OHIO AND OHIO RAIL DEVELOPMENT COMMISSION FOR THE CLOSING OF RAILROAD CROSSINGS AT SECCOMBE PLACE S.W. AND 2ND STREET S.W. AND TO ACCEPT ANY GRANT MONEY ASSOCIATED WITH THE CONSTRUCTION OF THIS PROJECT; CONSENTING TO AND APPROVING THE PERMANENT CLOSURE OF THE RAILROAD CROSSINGS AT SECCOMBE PLACE S.W. AND SECOND STREET S.W.; AND DECLARING THE SAME TO BE AN EMERGENCY

(Referred to Finance Committee)

PRESIDENT SCHULMAN: Thank you, Madame Clerk. At this time the chair will declare an in house recess again for Finance Committee to meet in regards to Ordinances 9 and 10. You're now in recess. Chairman Hawk.

PRESIDENT SCHULMAN: Council will reconvene after the recess. Thank you, Chairman Hawk and Committee. Leader.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinances #9 and 10 back on this evening's agenda.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rules 22A to place Ordinances 9 and 10 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. Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #9.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 9. 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. Motion carries. Leader, you've heard the three readings.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #9.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #9. Any remarks under the Ordinance #9? Again hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAY

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 115/2015

PRESIDENT SCHULMAN: Ordinance #9 has been adopted. Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #10.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #10.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAY

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 116/2015

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

(COUNCIL RECESSED AT 8:08 P.M. FOR THE PARKS & RECREATION AND FINANCE COMMITTEES TO DISCUSS ORDINANCE #11 RECONVENED AT 8:09 P.M.)

#11 (1ST RDG) **ADOPTED AS ORDINANCE NO. 117/2015** A RESOLUTION TO SUBMIT BEFORE THE ELECTORATE OF THE CITY OF CANTON A 5.0 MILL LEVY OUTSIDE THE 10 MILL LIMITATION FOR PARKS AND RECREATIONAL PURPOSES FOR A PERIOD NOT TO EXCEED FIVE YEARS
(Referred to Parks & Recreation and Finance Committees)

PRESIDENT SCHULMAN: Thank you, Madame Clerk. And at this time the chair would again declare an in house recess. This time for Parks & Recreation and Finance Committees to meet in regards to Ordinance 11 on your agenda. You're now in recess. Uh, Chairs.

PRESIDENT SCHULMAN: Thank you, Chairman Griffin.

MEMBER GRIFFIN: Mr. President, I'd like to...

PRESIDENT SCHULMAN: Yes.

MEMBER GRIFFIN: Uh, the Clerk will take that to the Board of Elections tomorrow morning.

PRESIDENT SCHULMAN: Great. Thank you. Chair will reconvene... Council after its recess. Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance 11 back on this evening's agenda. 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.

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PRESIDENT SCHULMAN: Thank you, Madame Clerk. Motion carries. Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 11. 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. 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?

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader.

MEMBER MORRIS: Okay. For one last time I will say my peace on this. A 5 mill levy is going to start us out in a hole. I disagree with this. I will support it for the sake of the Parks Department, but any good businessman would not start a business out going backwards. I can't believe we're doing this. Thank you.

PRESIDENT SCHULMAN: Thank you, Leader. Any other remarks?

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: I will echo the Leader's remarks. I was not here for the informal resolution, but I feel the same way.

PRESIDENT SCHULMAN: Okay. Thank you, Member Fisher.

MAYOR HEALY: Mr. President.

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PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Thank you. I just remind this Council that when the... the County gives us a number in reference to what is anticipated, that's assuming that every property owner pays... is current on their property. We know just in the City of Canton alone there's a significant amount of properties that are vacant and not up to speed. So you're receiving I think somewhere in the area of maybe 80, 85% of what they tell you you're receiving, so a 5 mill levy is bringing significantly less than what we need to operate with or currently operating off of. And... and I would encourage Council to consider moving that to 6 mill because with that, that would allow us to have at least the same amount of income that we're currently operating on and maybe slightly more, but again it's in resolution form. I think we can probably do an amendment, but I would encourage Council to take one last thought about the 5 mill would be reducing the funding for the Park and Recreation as it currently stands by combining them. Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you. The estimated value of the 5 mill levy is 5 point... or excuse me, it's 3.6 million dollars in generated income. Our Park Department used to function on considerably less than that, and so did the Recreation Department. Even at an 85% collection rate you're gonna find more dollars available than we had in the past. Previously about 1.2 million dollars came out of the general fund for parks, and I think, I'm guessing but I'd have to ask (*inaudible*) about four hundred thousand came out for capital for parks? I don't follow that fund as closely as I need to, but anyway, so when you start adding it up you're at about a 1.6 million dollar expenses for your parks that function and are treated very nicely and very well. I don't know exactly what the dollars generated for the... or what the 1 mill levy that passed for the Rec fund, but I think the consolidation is that the 5 mill will give us enough dollars to get started on this and take a look at it. I think it's up to the voters to make that decision. I think anything in excess of that would probably end up in defeat and you would have no money. So I think this is a prudent way of going about it and will bring us a fine Parks and fine Recreation Department. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Hawk. Any other remarks on Ordinance 11?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: You know, I look at this a little differently. I think two years ago when we were just trying to talk about merging Parks and Recreation, you know, right now we're at the victory. We're at the final lap to get this thing done, and I think 5 mill levy or the mi... excuse me, yeah, the 5... 5 point mill levy that's on the books today, I think that's what we told the voters, I think that's what we're going forward. Let's support this. Let's move this forward. And then let's look at other revenue strings that these parks can generate like signage and other things to bring up that extra... extra money. I think the voters right now need a break. They've been taxed a lot. So I think this is an opportunity for us to just merge this. Let's move forward and try to find other revenue strings. Thank you.

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PRESIDENT SCHULMAN: Thank you, Member West. Any other remarks? Okay. Hearing none, Madame Clerk, roll call vote please on Ordinance 11.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAY

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 117/2015

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

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for the Second Reading. Would you please begin with Ordinance 12.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #12 THROUGH ORDINANCE #16 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #12. (2ND RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (PART OF LOT 6683 LOCATED ON OBY PL NW TO LATONYA WALKER, 1130 OBY PL NW)
- #13. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 41203 THRU 41211, LOTS 4172 THRU 4175, PART OF LOT 4176 AND OUT LOT 1337; AND DECLARING THE SAME TO BE AN EMERGENCY (1115 CHERRY AVE NE STANDARD PRINTING, WARD 2)
- #14. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (1115 CHERRY AVE NE, STANDARD PRINTING, WARD 2) **PUB HRG 6/29/15 @ 7:30 P.M.**
- #15. (2ND RDG) **ADOPTED AS ORDINANCE NO. 118/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH TRANSYSTEMS REAL ESTATE CONSULTING, INC. TO COMPLETE THE RIGHT-OF-WAY ACQUISITION SERVICES FOR THE MAHONING RD. CORRIDOR PROJECT, PHASE TWO, G.P. 1130, AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$435,750.00 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PROJ, GP 1103 FUND TO 4566 202079 MAHONING RD CORRIDOR PROJ, GP 1103 - OTHER)

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PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 15. 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. Motion carries. You've heard the three readings, Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 15. Any remarks? Hearing none again, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAY

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 118/2015

PRESIDENT SCHULMAN: Ordinance 15 is adopted. Ordinance 16, please.

#16. (2ND RDG) **ADOPTED AS ORDINANCE NO. 119/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BOWMAN APPRAISAL SERVICE, INC. TO COMPLETE THE APPRAISAL REVIEW WORK FOR THE MAHONING RD. CORRIDOR PROJECT, PHASE TWO, G.P. 1130, AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$44,100.00 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PROJ, GP 1103 FUND TO 4566 202079 MAHONING RD CORRIDOR PROJ, GP 1103 - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules for Ordinance #16.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 16. 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. You've heard the three readings, Leader.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAY

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 119/2015

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 16 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Turning now to Ordinances and Formal Resolutions for the Third Final Reading and vote.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCE #17 THROUGH ORDINANCE #28 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#17. (3RD RDG) **ADOPTED AS RECONSIDERED AND AMENDED AS ORDINANCE NO. 104/2015** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY AMOUNTS NOT TO EXCEED \$20,000.00 TO PIER ASSOCIATES, \$10,000.00 TO ALLIED EQUIPMENT COMPANY AND \$11,200.05 TO STANDARD PLUMBING & HEATING CO.; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we reconsider Ordinance #104/2015 adopted June 1, 2015.

MEMBER SMITH: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded to reconsider Ordinance #104/2015 adopted on June 1, 2015. Are there any remarks? By roll call vote, all those in favor signify by saying aye. Those opposed no.

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

CLERK TIMBERLAKE: It's a roll call vote, sir.

PRESIDENT SCHULMAN: Oh, I'm sorry. Madame Clerk, roll call vote.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

AMENDMENT

Pursuant to Rules 41 and 36, I move to reconsider and amend Ordinance No. 104/2015 to change the dollar amount "\$11,200.05" to "\$14,000.00" in the caption and Section 1.

PRESIDENT SCHULMAN: Okay. The motion carries. Anybody want to give an explanation as to why the Ordinance is being reconsidered, or...? Director.

SERVICE DIRECTOR BARTOS: Mr. President, as I explained in committee there are three dollar amounts in the Ordinance. This is the emergency work that had to be done at the Sears Building. Three different vendors, three different dollar amounts. We exceeded the one dollar amount so we had to come back to amend that one to increase it. The good news is that the other two dollar amounts, we are actually below both of those so overall the estimate... the rough estimate at the beginning of the project was \$40,000.00. It came in around \$39,000.00, so we came under the original estimate.

PRESIDENT SCHULMAN: Great. Thank you, Director, very much. Any questions for the Director? Hearing none then, Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #104/2015 as amended.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #104/2015 as amended. Any remarks under this Ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#17 RECONSIDERED AND AMENDED AS ORDINANCE NO. 104/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 104/2015 has been reconsidered and amended. We turn now to Ordinance 18.

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#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 120/2015** AN ORDINANCE AMENDING PART FIVE - GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON BY THE AMENDMENT OF CHAPTER 505 ANIMALS AND FOWL (ANIMAL CRUELTY)

PRESIDENT SCHULMAN: Leader.

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?

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader.

MEMBER MORRIS: I would like to thank Member Mack for all his help on this and putting this legislation together, and hopefully Alliance is passing theirs this evening, and for once maybe all the municipalities together can put pressure on our State legislators to stiffen up these penalties on cruelty to animals.

PRESIDENT SCHULMAN: Let's hope so. 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.

#18 ADOPTED AS ORDINANCE NO. 120/2015

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

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 121/2015** AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE LESH-EVERETT ANNEXATION AREA CONTAINING APPROXIMATELY .4936 ACRES; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS R-2 (TWO FAMILY RESIDENTIAL); AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 6/15/15 @ 7:30 P.M.**

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. Any remarks under this Ordinance? 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.

#19 ADOPTED AS ORDINANCE NO. 121/2015

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

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 122/2015** A RESOLUTION ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECENT RECOMMENDATIONS REGARDING ENTERPRISE ZONE AND COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 20. 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.

#20 ADOPTED AS ORDINANCE NO. 122/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 20 is adopted. Ordinance 21, please.

#21. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 123/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$90,000.00 SUPP APPROP FR UNAPPROP BAL OF 2111 STREET MAINTENANCE FUND TO 2111 202210 MAINTENANCE - OTHER; APPROP TRANS OF \$63,000.00 - \$40,000.00 FR 2111 104020 TRAFFIC SIGNAL - OTHER AND \$23,000.00 FR 2111 202020 ENGINEER URBAN FORESTRY - OTHER TO 2111 202210 MAINTENANCE - OTHER; APPROP TRANS OF \$48,000.00 FR 1001 200501 GENERAL GOVERNMENT SUPPORT - OTHER TO 1001 202210 MAINTENANCE - OTHER

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

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

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Leader.

MEMBER MORRIS: Mr. President, I move we amend Ordinance #21 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. 21 by the substitution of the attached revised exhibit for the original proposed exhibit.

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 21 by virtue of the copy before each Member of Council. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Leader.

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. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#21 ADOPTED AS AMENDED AS ORDINANCE NO. 123/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 21 as amended is adopted. Ordinance 22, please.

#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 124/2015** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 501S - DEPT OF MANAGEMENT INFORMATION & SYSTEMS, NETWORK ENG. & ANALYST & ANALYST PROG.)

PRESIDENT SCHULMAN: Leader.

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

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #22. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 124/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 22 is adopted. Ordinance 23, please.

#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 125/2015** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 20WP - SERVICE DIRECTOR'S WATER RECLAMATION FACILITY, TREATMENT OPR. 2 & 3)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #23.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 23. Any remarks under this Ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 125/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 23 is adopted. Ordinance 24, please.

#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 126/2015** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 20WT - SERVICE DIRECTOR'S PUBLIC WORKS - WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIVISION, APP. DEV. ADMINISTRATOR)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #24.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 24. 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.

#24 ADOPTED AS ORDINANCE NO. 126/2015

PRESIDENT SCHULMAN: Ordinance 24 is adopted. Ordinance 25, please.

#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 127/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH MICHAEL BAKER JR., INC. FOR DESIGN SERVICES RELATED TO THE MONUMENT ROAD WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY; (\$65,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207039 MONUMENT ROAD WATER MAIN REPLACEMENT PROJECT - OTHER); AUDITOR AUTHORIZED TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #25.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 25. Any remarks under this Ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#25 ADOPTED AS ORDINANCE NO. 127/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 25 is adopted despite the fact I stepped on Assistant Majority Leader's second. I apologize. Ordinance 26, please. (*Inaudible voices*) Ordinance 26, please.

#26. (3RD RDG) **ADOPTED AS ORDINANCE NO. 128/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS FOR DESIGN SERVICES RELATED TO THE 41ST STREET AND 49TH STREET AREA WATER IMPROVEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$22,200.00 SUPP APPROP FR UNAPPROP

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BAL OF 5201 WATER FUND TO 5201 207022 DISTRIBUTION MAINTENANCE - OTHER); AUDITOR AUTHORIZED TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Second. (*Laughter*)

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #26.

PRESIDENT SCHULMAN: It's been seconded and moved to adopt Ordinance 26. Any remarks under this Ordinance? This is an important Ordinance here. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#26 ADOPTED AS ORDINANCE NO. 128/2015

PRESIDENT SCHULMAN: Ordinance 26 is adopted. Ordinance 27, please.

#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 129/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH ME/IBI GROUP FOR DESIGN SERVICES RELATED TO THE HARRISON AVENUE/44TH STREET N.W. WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$43,516.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207036 HARRISON AVENUE/44TH STREET WATER MAIN REPLACEMENT PROJECT - OTHER); AUDITOR AUTHORIZED TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #27.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #27. 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.

#27 ADOPTED AS ORDINANCE NO. 129/2015

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PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 27 is adopted. Ordinance 28, please.

#28. (3RD RDG) **ADOPTED AS ORDINANCE NO. 130/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER NO. 1 IN AN AMOUNT NOT TO EXCEED \$233,629.00 WITH SHOOK CONSTRUCTION INC. FOR THE PHOSPHORUS/TOTAL NITROGEN PROJECT - CONTRACT NO. 26; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$233,629.00 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJECT (MEMBRANE) FUND TO 5442 206054 WRF PHOSPHORUS (CONSTRUCTION) - OTHER); AUDITOR AUTHORIZED TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #28.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 28. 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.

#28 ADOPTED AS ORDINANCE NO. 130/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 28 is adopted, and that concludes a lot of ordinances tonight. I want to thank our Clerk and the staff. You know, this is not just on the surface here. It takes a lot of work to put this together. So thank you all very much. We appreciate it.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: So, we have announcement of Committees Meetings.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you, good sir. The Finance Committee will meet Monday, June 29, at 6:45 P.M.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Chairman Mariol.

MEMBER MARIOL: Public Property Capital Improvement will meet same time, same place.

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PRESIDENT SCHULMAN: Thank you. Chairwoman Smith.

MEMBER SMITH: Community & Economic Development (*inaudible*) same time.

PRESIDENT SCHULMAN: Thank you.

MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Chairman Mack.

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

PRESIDENT SCHULMAN: Thank you. Anyone else? That's it?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Now we turn to Miscellaneous Business. Before we recognize anybody, I do want to thank the leadership of City Council, Leader Morris and Assistant Leader Smith and all members of City Council who were there either in person or in spirit when we had our meeting relating to landlord tenant issues in the City. As we said, these are very critical issues. We have to provide safe liveable housing for our citizens in this community. It has to be both safe and liveable, and people should not be allowed to take advantage of people who are in need of housing and cannot afford to purchase a house and must rent. And they should not be able to hide either from the regulations and rules that we adopt. I think it's time looking at our housing structure that we begin to transform this City into a city that is not only liveable, but beautiful, and that can be done. It has been done here and it will be done again. Anything else?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Um, been here a long time. And public speaks has been a situation where people come down and most of the time they vent at City Council because if it's not getting done this is the only place to vent, especially publicly. But tonight you saw something different. There is allegedly, gonna say use the word allegedly, three equal branches of government. Those of us that sit here don't believe for a minute there's three equal branches of government. And the Judiciary branch usually trumps us all. And tonight you saw something I haven't seen in 26 years sitting down here. And I want to commend the Law Department for going to battle cause that's what's gonna happen here. And for 26 long years I have pushed and yelled and screamed and pleaded, and tonight, sir, you saw action. There was a man removed from here tonight. And they're going to Court. And I think that the Law Director needs to be commended. The people in the Law Department, Kristen, they need to be commended. And yeah, there's some bad landlords out there. There's some bad tenants out there. And we know who you are. The problem was getting someone to act, and tonight you saw the first part of the act that I haven't seen in a long time come out of here. And, sir, you are correct, there should be a bill of rights, and maybe we should take that into consideration when we hand out permits for the building department to pass out to people who register. Notice I said the people who register. The problem also is finding the people who don't register, and holding them accountable. All you have to do is drive around this City and you can tell who's what. Look at the grass. Look at the... Frank, and I don't even care if you're my relative, right, Frank? (*Inaudible voice from the audience*) And his house is up for sale. I'm done with all this,

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and I think there's a whole lot of other members that are tired of this too. And I said to the Mayor tonight, I was told by a very wise councilman a lot of years ago by the name of Art Cirelli who said the longer I stay here, the more enemies I will make. The line forms in the back, but we are coming after you. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Smuckler. Leader Morris.

MEMBER MORRIS: Yes, Mr. President. I'd kinda like to echo, you know, the congratulations, so forth and so on, but I... I also want to warn, let's not get too happy. Okay? I think that maybe what Member Smuckler's not used to seeing is we actually have a Council now that realizes that there are three equal branches of government, and in our meeting we made it very clear that us as Council Members don't have a bit of a problem holding this Administration accountable. But we have to hold the Law Department accountable because they hold us accountable. They keep us in line. We need to work together as a unit. And that's what we're starting to do. We had our work session. It went well. It started out with finger pointing, but realized that we're getting nowhere. We're on the same page. You're gonna see results. There's gonna be hell to pay. We're going to take back the City. We're going to move it in the right direction. As for the tenant landlord bill of rights, Mr. Nordman, that basically a draft of something of that nature is in the Law Department. It was sponsored by Member West, Member Smith and myself. So you'll be seeing that shortly. But I'd like to thank the Administration and Council and the Law Department for at least acknowledging we're not doing it right, and we're willing to do it right now. So, it... it's a win for all of us, but it's only game 1 of game 7, so let's keep going forward, please. Thank you.

PRESIDENT SCHULMAN: Thank you, Leader. Member Hart.

MEMBER HART: Yeah, after last meeting I was going down 12th Street in between... or, uh... in between 12th and McGregor (*chuckles*)... as my mind is totally going blank now with the street, but when we were going through 12th Street, and thank you, wow, and, you know, I noticed a large what... like water, and, you know, when we've had meetings here before I (*inaudible*) talking about replacing the water lines through there, and I think the (*inaudible*) they were having pipes. I just want to make sure that those pipes are indeed not (*inaudible*) and I started to think, yeah, if... I just don't want to get that job and not... and then we have to replace a water main. And it was right in the middle of the street and it was like, you know, lateral flowing to the house. Is there any way that those water lines can be cameraed. I... I just didn't get a good feeling when I saw it. And when it's all done and then we have to run, you know, laterals between Monument and Fulton Road up there. I would just hate to see that happen. You know, wasting money (*inaudible*).

PRESIDENT SCHULMAN: Director Bartos, do you care to comment?

SERVICE DIRECTOR BARTOS: Yeah. I'm... so it was 12th Street between...

MEMBER HART: It was I think McGregor and Fulton Road.

SERVICE DIRECTOR BARTOS: Okay. Um, I'll check because I know that they were doing water line work as part of the project on... on 12th Street recently.

MEMBER HART: Yeah, this was a leak though. I mean, we're...

SERVICE DIRECTOR BARTOS: This looked like a break?

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MEMBER HART: Yeah, yeah. This was a leak.

SERVICE DIRECTOR BARTOS: Okay. Let me... let me follow up...

MEMBER HART: Okay.

SERVICE DIRECTOR BARTOS: And then I'll let Council know next... next meeting.

MEMBER HART: And then I just have one other thing. You know, as we consider this, you know, landlord and tenant law, you know, it's important, but I hope that what we will do is be fair and equitable to all, and I guess the sad thing is, you know, if we... when we start passing rate increases for registration, things like that, you know, it's eventually gonna be passed onto the tenants, and I think the thing to remember is, you know, with 36, 37% of the people living in poverty within the City limits, you know, it's gonna be passed onto them, and I guess the more I thought about this, you know, if we have those offenders out there in terms of inspectors, I would hope that the fines could be high enough to let those that are really abusing the system pay for it, not the people that are just trying to have a decent place to live, and the property owner who isn't making necessarily a whole lot of money on that property. You know, they're not the ones causing the problem but yet it seems those of us that don't cause the problems have to subsidize.

PRESIDENT SCHULMAN: Thank you, Member Hart. Member Smith.

MEMBER SMITH: Yes, Mr. President, I'd also like to thank our Safety Director (*inaudible*) so I'd like to thank her also.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Oh, Member Hawk, sorry.

MEMBER HAWK: Thank you, good sir. I too would like to congratulate the Law Department, Council, and the Administration for working hard to get this landlord tenant relationship worked out. I know that there'll be more meetings. First communications come down, I think it's gonna take us awhile to put this together in a fair and equitable fashion. It's gonna require a lot of work, a lot of input, but we have to do it with an eye to fairness. And my other favorite thing now that I'm gonna talk about is high grass and weeds, and I know from a discussion with the Law Department that we will be seeing people cited on that issue too. In 2008 we made that a criminal offense. We've spent over \$250,000.00 of money every year mowing lots in the City of Canton and houses. Mr. Fisher's bond with the... on the vacant housing has seemed to help some, but it still costs us a lot of money, so let's go out and pick ourselves five or six of these offenders with the high grass and weeds and bring them in, and I think with the right amount of press and notification on this that we will see a change in our City in general. Thank you very much for all your hard work.

PRESIDENT SCHULMAN: Thank you, Member Hawk. Anyone else? Leader.

MEMBER MORRIS: Motion to adjourn.

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MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, everybody. Be careful out there tonight. The weather sounds bad.
(Gavel falls).

ADJOURNMENT TIME: 8:43 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT