

MINUTES OF THE MEETING JUNE 29, 2015

PRESIDENT SCHULMAN: Good evening, Ladies and Gentlemen. Welcome to Canton City Council. Before we begin, a couple of comments. We have a boy scout from Troop #12 here tonight. Just one. You want to stand up, young man, and welcome. (*Applause*) He's here for a badge. And secondly, and we'll get to this in the invocation too, but Member Smucker will not be here tonight. His father passed away today, and obviously we send our deepest condolences to Bill and his family, and he will remain in our thoughts and prayers, but I know that Pastor Morgan will have more to say in the invocation. So with that sad news, with a quorum being present the Chair calls this meeting of Canton City Council to order. Roll call vote, please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

TEN COUNCIL MEMBERS PRESENT. (MEMBER SMUCKLER AND MEMBER HART ABSENT)

CLERK TIMBERLAKE: Ten present, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Smucker and Member Hart from this evening's meeting. Any remarks? I will... we know, obviously, sadly why Member Smuckler cannot be here tonight. Member Hart is very sick. He did come here and then he said he'd prefer to go home and not spread his flu. So he will not be here this evening. Any other remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. The motion carries and Members Smuckler and Hart are excused from this evening's meeting. As I said, tonight are invocation is going to be given by our good friend, Pastor Morgan, and if you'll all stand please and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on June 29, 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 Pastor Morgan. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you so much, Pastor Morgan for those inspiring words. We do appreciate it. We're now under Agenda Corrections and Changes. Leader Morris.

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MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances O#10 through and include O#16.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 10 through 16 to this evening's agenda. Any remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We turn now to Public Hearings. We do have one this evening. It's scheduled for 7:30. It's AN ORDINANCE AMENDING ORDINANCE 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE, AND DECLARING THE SAME TO BE AN EMERGENCY. THIS IS LOCATED AT 1115 CHERRY AVE NE FROM B-4 (WHICH IS SPECIAL BUSINESS), B-3 (GENERAL BUSINESS), PB-4 (SPECIAL BUSINESS), AND R-4 (MULTI-FAMILY RESIDENTIAL) TO PB-4 (SPECIAL BUSINESS) FOR TERRY J. NOLAN AND THE STANDARD PRINTING CO. IN WARD 2. THE PLANNING COMMISSION HAS RECOMMENDED THE APPROVAL OF THIS. Is there anyone in the audience wishing to speak for or against this Ordinance, will you please step forward. And I have to repeat, is there anyone in the audience wishing to speak for or against this Zone Change, will you please step forward. Seeing no one step forward, the Chair does declare this public hearing over in regard to this matter and the ordinance now rests in the hands of Council and will follow later this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: We're under Old Business. Our Deputy Mayor, Fonda Williams, has indicated there is no business to discuss.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks. And we do have four speakers signed up. Our first is Tom Schmidt. Mr. Schmidt, if you'll step forward, sir. Welcome to Canton City Council. And if you'll give us your name and your residential address, please. He took a long way to get around to the microphone. *(Laughs)* You can always step in front of Michaela. She doesn't mind at all. But if you'll give us your name and your residential address, please.

TOM SCHMIDT: Uh, certainly. Tom Schmidt, 1338 5th Street NW.

PRESIDENT SCHULMAN: Thank you. Welcome, sir.

TOM SCHMIDT: Before I... I got two topics I'd like to talk about. First, briefly about the Sanitation Department, and then secondly about the skate park proposal at the Cuyahoga Valley Railroad Station. In

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regards to the Sanitation Department, I want to publicly commend Mike Parker from the Sanitation Department. He's been very helpful in a situation I've had in my neighborhood with people dumping construction debris into a vacant lot, and Mr. Parker's been very... he's just been an outstanding civil servant, and I just wanted to go on record and commend Mike for that.

PRESIDENT SCHULMAN: Thank you. We like to hear that, sir.

TOM SCHMIDT: Yes. Uh, I want to address the Cuyahoga Valley Railroad Station skate park, and if you have a pencil and a piece of paper, I want you to write this number down, \$652,348.00. That's the cost of this proposed skate park. It's a number that I've been studying this situation since April and it still boggles my mind. It is the amount allocated for a 1200 foot square... square foot skate park at the Cuyahoga Valley Railroad Station located on West Tusc, and \$253,000.00 are to come from taxpayer funded grants, \$170,000.00 from the City of Canton, and \$229,348.00 from miscellaneous grants that have not been specifically enumerated. Um, as you may know, we already have two underutilized skate parks in Canton. One is the West Park Skate Board Park, and the other one is the Harmont Park, so my question is why do we need to build a third park? You know, can we not maybe retrofit one of these... these other two parks. Um, the more I research this project the more confused I become about the need for this facility and the logic behind it. Um, I see I'm running out of time here, but let me talk about the Park Department. They... I believe they have a fiduciary responsibility to responsibly investigate both the pros and cons of the skate park, and to that end the wishes of the neighbors, the Summit United Neighborhood Association, they have not been heard. We have expressed our unanimous opposition to this skate park. Um, equally important is the area businesses that surround this proposed skate park. These are some of our longest best standing corporate citizens that kinda welcome people into downtown Canton, they kinda guard the west gateway if you will. And we do have Mr. Brad Black from Downtown Ford is here, Mr. Snyder formerly from Snyder Lumber. In addition, the Edward R. Hart Company led by Mike McAndrew, Franklin Graphics, owner Paul Stikovich (*unsure of spelling, pronounced Sti-coe-vich*), OBS, Inc., President Bob Ferne, The Furbay Electric Supply Company, owner Tim Furbay, and Greg Zink from the Sure Fit Auto Care Center. All of these folks are in opposition to this.

PRESIDENT SCHULMAN: Great. Thank you very much, sir. Appreciate it. (*Applause*) Our next speaker is Jonathan Bailey. Mr. Bailey, good evening. Welcome as always. If you'll give us your name and your residential address, please.

JONATHAN BAILEY: Uh, my name is Jonathan Bailey. I live at 405 3rd Street NE, Canton, Ohio. Got a lot to go through today about the vendor's license here in Canton, Ohio. Canton, Ohio licenses currently are \$150.00 for the entire city of Canton, that's a one time deed for the year, and the monthly fee of \$150.00 for the downtown area (*inaudible*). Anyhow, you guys wanted some comparisons to other cities. Let's go with New York City. New York City from October 1st to March 30th at \$200.00 for your vendor's license fee, and from March 31st to September it is \$100.00. It comes down halfwa... after half a year because you lost half a year, and it's renewable every year. Uh, it's also free for any veterans who have been dishon... honorably discharged. Cost of living in New York City compared to Canton, 574% higher for rent. Restaurant fees are 41.19% higher than Canton, Ohio. Groceries fees are \$11.00... uh, 11%... 11.69% higher than Canton, Ohio. Uh, you kinda average that out roughly, that's about 1200% higher that you charge for a city license accounting to downtown area that compare to New York City. We'll skip ahead, I ain't got enough time to do them all. Let's go to the one that's got the next highest that I could find. It still only requires one vendor's license for the entire city. L.A., high risk vendor's license fees, we'll skip the low risk one, 700... uh, \$671.00. There's a reason for that, they actually have a problem in L.A., immigrants are coming in and putting up some buckets and 2 by 4's and selling road kill as vendors. This happens daily so they actually have a problem and a legitimate reason for that

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high price, which only makes them... us, the City of Canton, 600% higher than L.A. Cost of living rent prices over there are 262% higher than here. Restaurant fees are 20.75% higher than the City of Canton. They're actually 16% cheaper on grocery bills though. You factor in the cost of living, which I didn't really, I... I really don't understand why the City of Canton has such outrageously high vendor fees just for the downtown area. You ask for the info, I got it. No city that I could find has two licenses required to operate on an ordinary business day. Something wrong in Canton. Who's gonna do the right thing? Who's gonna sponsor this thing being repealed in the downtown area? Show of hands?

PRESIDENT SCHULMAN: Thank you very much, Mr. Bailey. Appreciate it. Thank you. (*Applause*) Our next speaker is Don Peterson. Mr. Peterson, if you'll step forward. As always, welcome to Canton City Council. If you'll give us your name, though, and your residential address, please.

DON PETERSON: My name's Don Peterson. I live at 345 22nd Street NW, and I'm here tonight to discuss the possible dissolution of the Canton Joint Recreation District in advance of a proposed merger with the Parks Commission. I'm assuming that the reason why is because the Canton Joint Rec District is proposing another option to the Parks Commission structure that Council approved a few weeks ago. The plan approved by Council keeps in place the existing Park Commission structure and the funding source. However, under this plan using the numbers offered by Park Director Gordon, the merged entity runs a deficit starting in year 3. On Friday this past week the Joint Rec Board voted to ask County Auditor Alan Harold to certify levy amount generated using the Joint Rec structure. And contrary to The Repository's headline in Saturday's paper, the Recreation District is not seeking control of the parks. Rather we are seeking an alternative funding structure and managing structure to the one Parks presented and Council approved. The Rec structure is inclusive of the Canton City School District with two board members appointed by the school district and three board members appointed by the Mayor. The funding footprint is the Canton City school limits and is a bit bigger than the city limits, which is the taxing area for the Parks plan. This difference, about \$240,000.00 annually, would fund the shortfall with no tax increase to the people that live within the city limits. It's like a friend of mine said over the weekend, it's a no brainer. All the Recreation District is attempting to do is to provide the residents of the City of Canton alternative to the exiting Park structure through a thoughtful discussion. Not an up and down vote on a specific plan, but the choice between two similar plans for the best outcome. I'm having a hard time understanding why Council would elect to dissolve the Joint Rec District. This body's been in place for over 85 years, facilitates recreation for the residents of the city and the school district. Asking that the City of Canton... uh, City Council allow the citizens the... the chance to become educated with the options that are available, and... uh, and reach an educated voting decision. Thank you.

PRESIDENT SCHULMAN: Thank you, Mr. Peterson. (*Applause*) Our last speaker this evening is Lee Cote. Mr. Cote is always welcome. If you'll step forward and give us your name and your residential address, please.

LEON COTE: Good evening. My name is Lee Cote. I live at 1225 41st Street NW, Canton, Ohio. Uh, Mr. Mayor, President Schulman, Majority Leader Morris, Members of the Council, and members of your staff. I'd like to... on April 28th of last year I brought this up, and this is a report that the same outfit that just finished the Comprehensive Plan did for the neighborhoods in 2010. And I brought to your attention that the most important feature in that plan at that time was to demolish the homes that the kids had to walk by to go to and from school. That was absolutely the most important part of... of their plan. All of you agreed with it. In fact the following week Mr. Williams said Mr. Lee Cote had inquired about priority being given to boarded up houses that are in close proximity to school buildings. Mr. Cote, we are going to address that immediately. Well, I should... well, I should say that actually has been addressed already. So thank you for bringing it to our attention. That was on

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May 5th of 2014. This past week in the... last Tuesday in the Akron Beacon Journal Canton, the city has 4.2 million dollars in state funding to buy and demolish up to 325 dilapidated buildings. So far, only 557 thousand has been spent on 157 properties since August 26th of 2014. That's ten months ago. Six have been demolished so far. They have 150 that they need to get moving on said the county treasurer, Mr. Zumber, and he said should demolition fall... fail to timely... uh, I'm sorry. Should demolitions fail to be timely completed within the NIP guidelines, the City of Canton will receive ownership of these properties which contain dilapidated residential structures and partially demolished residential structures, and the City will be responsible for demolishing at their expense. Now my question is I drove by the same schools that I talked about 14 months ago and those houses are still standing. And shame on you (*buzzer sounds, time is up*) that in... in ten months you've taken down six houses, and if the county auditor is holding on to 150 titles, that tells me the Law Department has done their job, but somebody in this Administration is not doing theirs. Mr. Mayor, I have...

PRESIDENT SCHULMAN: Lee, I've gotta... I'm sorry, I really do. I have to cut you off. Thank you though. We hear you. You'll... the Mayor will be here afterwards. Thank you, Mr. Cote. (*Applause*)

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 29, 2015.

- 230. COM DEV DIR MILLER: AMEND O#109/2015 TO ESTABLISH FAIR REUSE VALUE OF \$550.44 FOR PARCEL 02-25379 LOCATED ON 2ND ST NW AND AUTHORIZE DISPOSITION OF SAME. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
- 231. COM DEV DIR MILLER: ESTABLISH FAIR REUSE VALUE OF \$658.84 FOR PARCEL 02-15334 LOCATED ON SANDAL PL NE AND AUTHORIZE DISPOSITION OF SAME. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
- 232. FINANCE DIR DIRUZZA: REQ \$22,600.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 600000 CANTON CITY COUNCIL - OTHER FOR ADVERTISING AND PROF SRVS. - FINANCE COMMITTEE
- 233. FINANCE DIR DIRUZZA: ADOPT ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING 12/31/16. - FINANCE COMMITTEE
- 234. HEALTH COMM ADAMS: REQ \$26,915.50 INTRA-FUND TRANSFER FR 2335 301001 TO 2335 301001 PERSONNEL FOR YWCA HEAD START GRANT EXPENSES. - FINANCE COMMITTEE
- 235. HEALTH COMM ADAMS: 2014 HEALTH DEPT ANNUAL REPORT. - RECEIVED & FILED

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236. LIQUOR CONTROL DIV: DENY APP FOR 2015-2016 C-1-2 LIQ PERMIT RENEWAL FOR HILL MINI MART, LLC, DBA SHORB DRIVE THRU @ 829 12TH ST NW (WARD 2). - RECEIVED & FILED
237. LIQUOR CONTROL DIV: DENY APP FOR 2015-2016 C-1-2 LIQ PERMIT RENEWAL FOR WINE BARRELL, LLC, DBA WINE BARRELL & DRIVE THRU @ 1816 CLEVELAND AVE NW (WARD 9). - RECEIVED & FILED
238. MAYOR HEALY: REQ AUTHORIZATION TO APPOINT JON KUHNASH TO CANTON CONSTRUCTION BD FOR 3 YR TERM COMMENCING 7/1/15 - 6/30/18. - PERSONNEL COMMITTEE
239. MAYOR HEALY: REQ AUTHORIZATION TO APPOINT AGATHA JOHNSON TO FAIR HOUSING COMMISSION FOR 5 YR TERM COMMENCING 7/1/15 - 6/30/20. - PERSONNEL COMMITTEE
240. MAYOR HEALY: ADVISING OF APPOINTMENT OF JENNIFER LEWIS TO MAYOR'S COMMUNITY RELATIONS COMMISSION FOR 2 YR TERM COMMENCING 7/1/15 - 6/30/17. - RECEIVED & FILED
241. SAFETY DIR PERRY: REQ APPROVAL TO ACCEPT FUNDS FR 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG PROGRAM) IN AMT OF \$69,709.00 FOR CANTON POLICE DEPT; RENAME FUND 2769 FR 2006 BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TO 2015 BYRNE LOCAL SOLICITATION GRANT FUND; RATIFY AGMT WITH STARK COUNTY COMMISSIONERS RE DISTRIBUTION OF FUNDS. - FINANCE COMMITTEE
242. SERV DIR BARTOS: ADVISE OF USE OF SEC 105.04 OF CANTON CODIFIED ORDINANCES FOR EMERGENCY REPAIRS TO SANDSTONE FACADE OVER ENTRANCE TO CIVIC CTR DISCOVERED DURING ROOF REPAIR PROJ. - RECEIVED & FILED
243. SERV DIR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR AND/OR PARK COMMISSION TO APPLY FOR, ENTER INTO AGMT FOR AND RECEIVE FUNDS FR MULTIPLE POTENTIAL FUNDING SOURCES FOR VARIOUS CAPITAL IMPROVEMENT PROJ MANAGED BY ENGINEERING DEPT OR IN CONJUNCTION WITH OTHER CITY DEPTS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
244. SERV DIR BARTOS: REQ \$340,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410-202010 ENGINEER-DAILY OPERATIONS - OTHER FOR SANITARY SEWER WORK FOR EAST SIDE INTERCEPTOR REPLACEMENT PROJ AND FULTON RD PAVING PROJ. - FINANCE COMMITTEE
245. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 4/30/15. - RECEIVED & FILED

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246. COUNCIL-AS-A-WHOLE: REQUEST LAW DEPT TO RESEARCH ANY LEGAL PROCEDURES THAT WOULD PERMIT THE CITY OF CANTON TO WITHDRAW FR JOINT RECREATION BD, AND RESEARCH REMOVAL OR TERMINATION OF MAYORAL APPOINTEES APPROVED BY COUNCIL WHEN MAYOR AND COUNCIL DESIRE TO END THE APPOINTMENT. - PARKS & RECREATION COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #9 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH BELL EQUIPMENT COMPANY FOR THE PURCHASE OF ONE (1) REAR-LOADING PACKER TRUCK FOR AN ESTIMATED AMOUNT OF \$240,000.00 IN ACCORDANCE WITH OHIO REVISED CODE SECTION 9.48 AND CANTON CODIFIED ORDINANCE SECTION 105.11; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement Committee
- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$11,000.00 FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202001 ENGINEERING ADMIN - OTHER; CONVERT 6TH ST SE BETWEEN WALNUT & MARKET BACK TO 2 WAY OPERATION)
Referred to Public Property Capital Improvement Committee
- #3. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$23,000.00 FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202001 ENGINEERING ADMIN - OTHER; BIRCHDALE NW STORM SEWER PROJ)
Referred to Public Property Capital Improvement Committee
- #4. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$15,000.00 FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202001 ENGINEERING ADMIN - OTHER; GRENADA DR SE STORM SEWER PROJ)
Referred to Public Property Capital Improvement Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT AND TO EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES FOR THE MONUMENT ROAD NW SANITARY SEWER REPLACEMENT PROJECT;

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AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$330,000.00 FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206316 MONUMENT RD NW SANITARY SEWER REPLACEMENT PROJ, G.P. 1218)

Referred to Finance Committee

- #6 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH MICHAEL BAKER, JR., INC. FOR CONSTRUCTION OVERSIGHT SERVICES RELATED TO THE EAST SIDE INTERCEPTOR SANITARY SEWER REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$50,000.00 FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206314 EAST SIDE INTERCEPTOR SANITARY SEWER REPLACEMENT PROJ, G.P. 1113 - OTHER)
Referred to Finance Committee
- #7 (1ST RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO SINGLE AND DOUBLE MICROSURFACING TO STA 77 FROM 9.50 TO 11.84, STA 687 FROM 0.00 TO 0.36 AND 2.57 TO 5.53; AND DECLARING THE SAME TO BE AN EMERGENCY (I-77 & SR-687, "PROJECT" PID NO. 100287)
Referred to Finance Committee
- #8 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A ONE-YEAR AGREEMENT WITH ARTSINSTARK, WITH THE OPTION OF NINE (9) ONE-YEAR RENEWALS IF MUTUALLY AGREED TO BY BOTH PARTIES, FOR THE PURPOSE OF SHARING THE USE AND COST OF THE TWO (2) ELECTRONIC MESSAGE BOARDS AT THE CANTON MEMORIAL CIVIC CENTER AND THE CULTURAL CENTER FOR THE ARTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

(COUNCIL RECESSED AT 7:55 P.M. FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #9; RECONVENED AT 7:57 P.M.)

- #9 (1ST RDG) **ADOPTED AS ORDINANCE NO. 131/2015** AN ORDINANCE DECLARING THE BUILDING LOCATED AT 1454 EASTVIEW AVENUE NE TO BE A PUBLIC NUISANCE; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE DEMOLITION OF SAID BUILDING; AUTHORIZING THE CLERK OF CANTON CITY COUNCIL TO CERTIFY THE COSTS OF DEMOLITION TO THE STARK COUNTY AUDITOR; AND DECLARING THE SAME TO BE EMERGENCY
Referred to Community & Economic Development Committee

PRESIDENT SCHULMAN: At this time the chair would declare an in house recess for the Community & Economic Development Committee to meet in regard to Ordinance 9. You're now in recess. Madame Chair.

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

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance 9 back on this evening's agenda. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

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

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten 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 #9.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAY

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 131/2015

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and Ordinance 9 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

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PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for their Second Reading. Would you please begin with Ordinance #10.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #10 THROUGH ORDINANCE #16 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#10. (2ND RDG) **ADOPTED AS ORDINANCE NO. 132/2015** 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)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten 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 #10.

MEMBER SMITH: Second.

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 10 YEAS, 0 NAY

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 132/2015

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

#11. (2ND 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)

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- #12. (2ND 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
- #13. (2ND 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)
- #14. (2ND RDG) **ADOPTED AS ORDINANCE NO. 133/2015** 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

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules for Ordinance #14.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 14. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

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

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #14.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 14. Any remarks under this Ordinance? Hearing none, Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL 10 YEAS, 0 NAY

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#14 ADOPTED AS ORDINANCE NO. 133/2015

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 14 is adopted. Ordinance 15, please.

#15 (2ND RDG) **ADOPTED AS ORDINANCE NO. 134/2015** 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

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten 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 #15.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAY

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 134/2015

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 15 is adopted. Ordinance 16, please.

#16 (2ND RDG) **ADOPTED AS ORDINANCE NO. 135/2015** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$1,250.00 TO

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PSYCHOLOGICAL & FAMILY CONSULTANTS, INC. FOR A FITNESS FOR DUTY EXAMINATION; AND DECLARING THE SAME TO BE AN EMERGENCY (DECEMBER 2014 - FEBRUARY 2015)

PRESIDENT SCHULMAN: Leader Morris.

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

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 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

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

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? Again hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAY

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 135/2015

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

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for the Third Final Reading and vote. Would you please begin, Madame Clerk, with Ordinance 17.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCE #17 THROUGH ORDINANCE #19 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 136/2015** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND

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DECLARING THE SAME TO BE AN EMERGENCY (PART OF LOT 6683 LOCATED ON OBY PL NW TO LATONYA WALKER, 1130 OBY PL NW)

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 136/2015

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

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 137/2015** 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)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 137/2015

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

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 138/2015** 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.

PRESIDENT SCHULMAN: Leader Morris.

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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 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 138/2015

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you, good sir. The Finance Committee will meet Monday, July 13th, at 6:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Chairman Griffin.

MEMBER GRIFFIN: Personnel Committee will meet on the 13th at 6:30.

PRESIDENT SCHULMAN: Thank you. Chairman Mariol.

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

PRESIDENT SCHULMAN: Thank you. Any other announcements for committee meetings?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Hearing none, Miscellaneous Business? Is there any?

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT SCHULMAN: Deputy Mayor Williams.

DEPUTY MAYOR WILLIAMS: Yeah, if I could respond to a couple of comments by Mr. Cote in regards to the NIP demolition program. I'd just like to remind this Council and the audience that when this grant first became available it was only to go through county land banks. Our county land bank did not want to apply for

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these funds, and so myself and Director Miller from CD attended a land bank meeting and begged them to allow us to apply for these funds. Uh, they... they came down to a vote. It was a 3 to 2 vote to allow the City to apply. We had nine days to apply for this grant. We put together an application, submitted it, asking for 2.2 million. It was awarded 4.2 million. Um, this particular program is a lot different from the Moving Ohio demolition program that the City entered into a year prior. As this Council is aware, and so's the audience, starting off with the Moving Ohio program we were behind in our demolition. We met with Council Members, we met with the Law Department, we were able to ramp things up. Sitting right here in front of me is a letter from the Attorney General's Office congratulating the City of Canton for tearing down close to 492 properties in one year. Uh, Director Miller mentioned to this body early on in May that we were a little behind in the NIP program. The NIP program is a lot different than the Moving Ohio Forward program. There's a three year window, and these properties have to be acquired. These properties are acquired through the foreclosure process at the County. That takes some time. If you've ever gone through foreclosure, you should most certainly be aware that takes a little time. We do... we do... we do prioritize, tear down houses that are near schools. As I said on May 5th, the issues is due process. If there's a school that we can't get access to a home next to a school, we don't have access to tear it down, we cannot tear that house down. Anyway to fast forward, the NIP program is a little complicated. I'll be happy to spend time after this meeting to educate any and everyone that would like educated, but I can assure you we have things on track. We will meet the number of 270 properties by our deadline which is June 30, 2016. Thank you very much.

PRESIDENT SCHULMAN: Deputy Mayor, if I may ask a question. The two dissenting votes from the land bank to actually prevent us from getting more money to demolish more homes in Canton, who were those two? Do you recall?

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT SCHULMAN: Yes.

DEPUTY MAYOR WILLIAMS: Yes, it was Plain Township Trustee, Scott Haws, and the Chairman of the Board, Mr. Zumbar, Alex Zumbar.

PRESIDENT SCHULMAN: Okay. So the very person that went to the newspaper to complain about our efforts to demolish homes in our city, the auditor, Zumbar, was one of the dissenting votes in trying to... trying to really stop you and the City from getting more money to demolish more homes?

DEPUTY MAYOR WILLIAMS: That's correct.

PRESIDENT SCHULMAN: Well, that seems hypocritical... excuse me. Hypocritical to me. Deputy Mayor, it may seem hypocritical to you and some of the members of the audience too. Thank you very much. Mayor Healy.

MAYOR HEALY: Thank you. I would say more political than hypocritical, but that's, you know, (*inaudible*). I also would like to address this to the public, since... since this Administration came into office 7 ½ years ago we've torn down over 1400 homes using six different grant programs, all of them with different restrictions and requirements, and every one of them we've been able to meet during their deadlines and maximize every dollar. This is the next available funds that we're working on and we will hit the requirements by the deadline. Thank you.

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PRESIDENT SCHULMAN: Thank you, Mayor.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Dougherty.

MEMBER DOUGHERTY: Chief of Staff, I just want to thank you. I'm glad you kind of explained that a little bit. You know, we pick the paper up and we read something and that's gold to some people, and sometimes there's just some facts that just aren't in there for whatever reason. I know that I've worked with you for many years and Mrs. Miller on getting houses torn down. We just voted on one. That one was in my ward tonight, and I believe although it's just a small street, children do walk past it to get to school. A lot of people walk to school in my ward. We've worked very hard to tear down a lot of houses and get the lots to neighboring people, and I think that you guys are doing a better job than you're getting credit for.

PRESIDENT SCHULMAN: Thanks, Member Dougherty. Any other comments? Leader.

MEMBER MORRIS: Yeah, Mr. President. Just a real quick comment to Deputy Mayor Williams. It was enjoyable to sit down and talk to you and the Mayor this evening regarding these demos. I would... still would like the information on the liquidated damages that you did not have available, and also Council can look forward to updated spreadsheets that's gonna give us a little more information as to where they actually are in that process. So many times we hear well, it's in process, but where's the progress? Where's it at, what stage, and Deputy Mayor's guaranteed we're gonna get an update... updated spreadsheet that shows more details as to where they're at. No objection, 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 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Meeting's adjourned. (*Gavel falls*). Be careful, everybody, have a great two weeks, and Happy 4th of July.

ADJOURNMENT TIME: 8:16 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT