

**MINUTES OF THE MEETING APRIL 23, 2018**

PRESIDENT SCHULMAN:...Welcome to Canton City Council. It's good to see all of you here, and with a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please, Mr. Clerk.

*ROLL CALL TAKEN BY CLERK DOUGHERTY:*

12 COUNCIL MEMBERS PRESENT: (CHRIS SMITH, JAMES BABCOCK, COREY MINOR SMITH, BILL SMUCKLER, GREG HAWK, NATHANIEL CHESTER, JASON SCAGLIONE, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, EDMOND MACK & FRANK MORRIS)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK DOUGHERTY: Twelve present, Mr. President.

PRESIDENT SCHULMAN: Great. Thank you very much. Uh, we have our invitation (***Error: President Schulman should have said invocation***) given by my good friend and uh...very good friend, Mr. Babcock. If you'll step forward and give us your name....yeah...

*The regular meeting of Canton City Council was held on April 23, 2018 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, David R. Dougherty. The invocation was given by Council-at-Large Member, James Babcock. The Pledge of Allegiance was led by President Schulman.*

PRESIDENT SCHULMAN: Thank you, Member Babcock.

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: Uh, We are now under Agenda Corrections and Changes. Leader.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2<sup>nd</sup> Reading Ordinances #7 through 13 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that uh...12...I'm sorry...what...7...7 through 13 be suspended. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. Thank you very much. 5 through...

CLERK DOUGHERTY: 7...

PRESIDENT SCHULMAN: 17 are a legal part of your agenda. (***Error: President Schulman should have said 7 through 13***).

**MINUTES OF THE MEETING APRIL 23, 2018****PUBLIC HEARINGS**

PRESIDENT SCHULMAN: We now turn to...what now? I'm in a lot of trouble tonight. Roll call...Public Hearings. We have none tonight.

**OLD BUSINESS**

PRESIDENT SCHULMAN: We're now under Old Business. We have no Old Business tonight.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We're now under New Business...I'm sorry, we're under uh...Public Speaks. We have 2 speakers. The first speaker is Mr. Adams. Always a pleasure. Thank you. Mark Adams.

MARK ADAMS: Hi everyone, how ya doing? Terribly nervous. If I want to talk about public...oh, I'm Mark Adams, 8557 Cherryridge Ave...I know...I remember that (*Laughs*). It's uh...great to be here. Um, the reason I'm here is uh, good and bad. I uh, I...I took a job out of here. I'm...I didn't mean to do that...I...but I wanted to say goodbye and I have a relationship with everybody here. And, I already did my crying at the Board of Health meeting, so I'm gonna try to be light, uh, cause I don't really want to go, but I mean, I...I just...I have staff that they're ready to go and they can fill in, and it's time to let them move up. And I'm getting older, and uh, but for...I wanted to say to each of you, um, that it has been an extreme pleasure. I...everyday...and along with the citizens of Canton, if I could just say that everyday, everybody up here actually fights the fight for the city. You may not feel it, you may not...not see it, it may not be where you want to see it on Facebook or where you see it somewhere else, but every single person here has either through text message, Facebook Messenger, phone call on a Sunday night, email, going through Beth or other Members of Council, or through Dave, or through the Safety and Service Directors, or through the Law Department...uh, every single person has contacted each of these departments in certain ways, in various ways to try to fix the problems that...that you want fixed in the city. And, uh...I...I...as an employee of 24 years, it's sad to go. So, I appreciate it. (*Applause*).

PRESIDENT SCHULMAN: Thank you so much. It was very sweet and heartfelt. Uh, our next...uh, speaker is Patricia Kirk. Ms. Kirk, as always, good evening. Welcome. If you'll give us your name and residential address, please.

PATRICIA KIRK: My name is Patricia Kirk, I live at 131 5<sup>th</sup> St. NE, Apt. 508, and uh, I'm here to remind you that...do you know what this Friday is? It's National Arbor Day, and Canton's uh...celebration will be Friday at 11:00 - 2:00 at the Canton Garden Center, in the park. And we will have a chance to vote for our favorite photo and the prizes will be given out by the Mayor at Joseph Saxton Gallery downtown. The Tree Commission only counts the popular numbers, we do not know the person's name that we're voting for. We will be having the grilled hot dogs, a movie and crafts for the kids. There will be outdoor activities, depending on the weather. We've had such beautiful weather lately. Downtown Central Neighborhood and Cherry Avenue Neighborhood will be supporting this activity. If you only knew how the committee and Jenea, and Brenda and others give their time and energy after work to this. We hope to see you there. Thank you very much. (*Applause*).

PRESIDENT SCHULMAN: Thank you very much.

JAMES PARKER: With all due respect, I have till 7:15 to sign up. This meeting started early. May I speak on Allen Page Drive?

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PRESIDENT SCHULMAN: I'm sorry...

JAMES PARKER: I'll see ya next time.

PRESIDENT SCHULMAN: Very good, thank you very much.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We're now under uh...Ordinances...uh...uh...Second Readings...Communications...*(Error: President Schulman should have said Informal Resolutions)* We have none tonight.

**COMMUNICATIONS**

PRESIDENT SCHULMAN: We're now under 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 APRIL 23, 2018.***

183. AGENT FOR PETITIONER SLIMAN: COPY OF ANNEX PETITION DOCS FILED WITH STARK CTY COMMISSIONERS (44<sup>TH</sup> ST NE ANNEX, 1.896 ACRES IN PLAIN TWP). - RECEIVED & FILED
184. LIQUOR CONTROL DIV (OHIO): NOTICE OF HRG FOR NEW C-1 PERMIT FOR DOLGEN MIDWEST, LLC DBA DOLLAR GENERAL STORE 17922, 915 W TUSC ST, SCHEDULED FOR 5/17/18 @ 10:30 AM IN CANTON CITY COUNCIL CHAMBERS. - RECEIVED & FILED
185. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE FOR DESIGN OF 33<sup>RD</sup> ST NW AREA WATER MAIN REPLACEMENT PROJ; REQ \$102,900.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207052 33<sup>RD</sup> ST NW AREA WATER MAIN REPLACEMENT PROJ - OTHER. - FINANCE COMMITTEE
186. SERVICE DIRECTOR HIGHMAN: AMEND CANTON CODIFIED ORDINANCE CHAPTER 105 BY INCREASING THRESHOLD FOR DEFINITION OF PUBLIC CONTRACT UNDER CHAPTER 105.01 CONSTRUCTION CONTRACTS SEC (a)(1)(B) FR \$20,000.00 TO \$50,000.00, INCREASING THRESHOLD REFERENCED IN CHAPTER 105.09 NOTICE AND BIDDING REQUIRED FR \$20,000.00 TO \$50,000.00, AND INCREASING THRESHOLD REFERENCED IN CHAPTER 105.10 PROFESSIONAL OR PERSONAL SERVICES CONTRACTS FR \$15,000.00 TO \$50,000.00. - JUDICIARY COMMITTEE
187. STARK CTY COMMISSIONERS: REQ ANNEX OF 1.979 ACRES, MORE OR LESS, IN PLAIN TWP TO CITY OF CANTON (ONE RICHMOND AVE). - PLANNING COMMISSION
188. STARK CTY COMMISSIONERS: REQ ANNEX OF 8.041 ACRES, MORE OR LESS, IN PLAIN

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TWP TO CITY OF CANTON (HOF VILLAGE #5). - PLANNING COMMISSION

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: We're now under Ordinances & Formal Resolutions for their First Reading. Mr. Clerk would you please begin with Ordinance 1.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDED APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$9,000.00 SUPP APPROP FR UNAPPROP BAL OF 7131 DOWNTOWN CANTON SPEC IMP DIST FUND TO 7131 801001 AUDITOR - ADMIN - OTHER)  
Referred to Finance Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$267,208.33 INTER-FUND TRF FR 1001 GENERAL FUND TO 1151 LAND REUTILIZATION AND NOTE FUND)  
Referred to Finance Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF TWO (2) SMALL SPORT UTILITY VEHICLES; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY PROCUREMENT AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (BUILDING DEPT.)  
Referred to Public Property Capital Improvement Committee
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AND ENTER INTO CONTRACT FOR THE LEASE OF A CITY OWNED BUILDING AT 215 WEST TUSCARAWAS STREET FOR THE PURPOSES OF OPERATING A RESTAURANT/SNACK BAR; AND DECLARING THE SAME TO BE AN EMERGENCY (ARCADE CONEYS)  
Referred to Public Property Capital Improvement Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY OF CANTON TO DESIGNATE PORTIONS OF UNITED STATES BIKE ROUTE 44 AND STATE BIKE ROUTE 85 IN CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Safety & Thoroughfares and Parks & Recreation Committees
- #6. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 94/2018** AN ORDINANCE AUTHORIZING

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THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO RESPOND TO THE EMERGENCY DEMOLITION OF 526 - 3<sup>RD</sup> STREET N.E.; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS RESULTING FROM RESPONDING TO SAID EMERGENCY SITUATION; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$120,000.00 SUPP APPROP FR UNAPPROP BAL OF 2160 VACANT/FORECL REGISTRY EXP SR FUND TO 2160 101501 CODE ENFORCEMENT ADMIN - OTHER)

Referred to Finance Committee

PRESIDENT SCHULMAN: Gonna call a recess for the Finance Committee to meet. We're now in recess.

***(COUNCIL RECESSED AT 7:15 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #6; RECONVENED AT 7:35 PM)***

PRESIDENT SCHULMAN: It's been moved and seconded...Leader...Leader...

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to place Ordinance 6 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place 6 onto this evening's agenda. Any remarks? Hearing none, roll call vote please...

MEMBER SMITH: Yes, Mr. President. I just have one remark. I would just like to say to the Council Members...we do have to pay for the service that's been rendered. We hope in the future that this will not happen, that we will get a jump on things quicker, but we do have to pay for the service that's been done. Thank you.

PRESIDENT SCHULMAN: Thank you. Any other remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Motion carries. It's a legal part of your agenda.

MEMBER SMITH: Mr. President I move we suspend the Statutory Rules on Ordinance #6.

MEMBER BABCOCK: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule on Ordinance #6. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: You've heard the three readings, Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #6.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #6. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President

**#6 ADOPTED AS ORDINANCE NO. 94/2018**

PRESIDENT SCHULMAN: Thank you. Motion carries. Uh...Ordinance 6 is adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We now go to Ordinances for their Second Reading...sorry.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #7 THRU #13 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #7. (2<sup>ND</sup> RDG) 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
- #8. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$450,000.00 SUPP APPROP FR 5410 202010 ENGINEER - DAILY OPERATIONS - OTHER, \$432,355.00 SUPP APPROP FR 5410 202081 SEWER MAPPING PROJECT - OTHER; \$2,349,941.00 SUPP APPROP FR 5410 206314 E SD INTERC SAN SWR REPL PRJ 1138 - OTHER, \$330,000.00 SUPP APPROP FR 5410 206316 MONUM RD NW SANIT SEWER REP PROJ - OTHER; \$305,000.00 SUPP APPROP FR 5410 206317 MAPLEWOOD NEW DAWN SUB SEWER -

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OTHER TO UNAPPROP BAL OF 5410 SEWER OPERATING FUND -  
\$3,867,296.00)

- #9. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102075 POLICE - CONT PROFESS TRAINING - OTHER, TO 1001 102001 POLICE - ADMIN - OTHER)
- #10. (2<sup>ND</sup> RDG) AN ORDINANCE REPEALING SECTION 143.01 OF CHAPTER 143, RECREATION BOARD, OF TITLE FIVE OF PART ONE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (DISSOLVING CANTON JOINT RECREATION BOARD)
- #11. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A ONE-YEAR CONTRACT FOR TRAFFIC CONTROL SERVICES DURING WATER MAIN INSTALLATION AND REPAIRS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS FOR DESIGN OF PHASE 1 AND SURVEYING AND BASE MAPPING OF PHASE 1 AND 11 OF THE EDGEFIELD AVENUE AREA WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$147,800.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207051 EDGEFIELD AVENUE AREA, PHASE I WATER MAIN REPLACEMENT PROJECT - OTHER)
- #13. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 95/2018** AN ORDINANCE AMENDING ORDINANCE NO. 238/2017 BY THE SUBSTITUTION OF A REVISED EXHIBIT A; AND DECLARING THE SAME TO BE AN EMERGENCY (HUD FISCAL YR EXPENDITURES)

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rules for Ordinance #13.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinance 13. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #13.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 13. Any remarks?  
Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#13 ADOPTED AS ORDINANCE NO. 95/2018**

PRESIDENT SCHULMAN: Motion carries. It's adopted.

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

PRESIDENT SCHULMAN: We now turn to...uh...Motions...uh...Third Readings. Leader.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #14 THROUGH #16 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

#14. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 96/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT A DONATION OF LAND FROM THE STARK COMMUNITY FOUNDATION; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #'S 209559, 215603, AND 280677, WARD 1)

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#14 ADOPTED AS ORDINANCE NO. 96/2018**

PRESIDENT SCHULMAN: Motion carries. Ordinance 14 is adopted. Ordinance 15, please.

#15. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 97/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT A DONATION OF LAND FROM THE BETTY C. HICKS TRUST; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #225302, WARD 2)

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#15 ADOPTED AS ORDINANCE NO. 97/2018**

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

#16. (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 98/2018** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$16,444.51 SUPP APPROP FR UNAPPROP BAL OF 2212 NEIGHBORHOOD STABILIZATION PROG FUND TO 2212 506009 2009 STIMULUS - OTHER; \$54,576.04 SUPP APPROP FR UNAPPROP BAL OF 2213 NEIGHBORHOOD STABILIZATION 3 PROG FUND TO 2213 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$1,172.79 SUPP APPROP FR UNAPPROP BAL OF 2214 HOME FUND TO 2214 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$55,104.74 SUPP APPROP FR UNAPPROP BAL OF 2219 EMERGENCY SHELTER GRANT FUND TO 2219 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$138,564.35 SUPP APPROP FR UNAPPROP BAL OF 2211 COMMUNITY DEVELOPMENT FUND TO 2211 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER)

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 16. Any remarks in of this Ordinance? Hearing none, roll call vote please.

MEMBER SMITH: No, Mr. President...

PRESIDENT SCHULMAN: Oops, sorry...sorry.

MEMBER SMITH: Mr. President, I move we amend Ordinance 16, per the copy that all Council Members have in front of them.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to uh...amend Ordinance...

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes

MEMBER SMUCKLER: \$800,000.00 discrepancy we're doing now, or is that just a typo? ...On this Amendment?

FINANCE DIRECTOR CROUSE: \$300,000.00 amendment to (*Inaudible*). It's a \$300,000.00 adjustment to the initial appropriation of Fund 2214. It was for a project that (*Inaudible*) was awarded to ICAN back at the end of 2017, for the Arbor Ridge Project. The initial Project was \$570,000.00, which we had put a P.O. in place for \$270,000.00 at the end of the year. Now, we just need to appropriate the additional \$300,000.00 so we can finish that...that project with a P.O.

PRESIDENT SCHULMAN: Does that answer your question?

MEMBER HAWK: No...I've got one...and I...I know he'll have a good....explanation to be proper, but the original appropriation was for \$1,000,172.79...

FINANCE DIRECTOR CROUSE: That was only for \$1...\$1,172.79.

MEMBER HAWK: I'm...I'm reading my amendment.

FINANCE DIRECTOR CROUSE: Uh, they forgot the period.

MEMBER HAWK: (*Laughs*). I mean, then...

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FINANCE DIRECTOR CROUSE: If you'll look at the original Ordinance in your book, it would have been for \$1,172.79.

MEMBER HAWK: Okay, I'm...I'm just...I'm so sorry

MEMBER MORRIS: It's all good.

PRESIDENT SCHULMAN: Any other questions? I think we're at the point where we're gonna have a 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. The motion carries. Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance 16, as amended.

MEMBER BABCOCK: Second.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Section 1 of Agenda Item No. 16 by changing the dollar amount "\$1,172.79" to "\$301,172.79".*

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance uh...15...16 as amended. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#16 ADOPTED AS AMENDED AS ORDINANCE NO. 98/2018**

PRESIDENT SCHULMAN: Thank you. Ordinance 16 is adopted. The Ordinance 16, as amended, is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: We're now under Announcement. Any announcements?

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Yes, sir.

MEMBER MORRIS: Finance will meet on 4/30/18 at 6:30 P.M.

PRESIDENT SCHULMAN: Thank you.

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MEMBER SCAGLIONE: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER SCAGLIONE: Public Property Capital Improvement, same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER HALL: Mr. President, Parks and Rec, same time, same place.

PRESIDENT SCHULMAN: Thank you. Anyone else?

CLERK DOUGHERTY: Public Safety & Thoroughfares, please.

PRESIDENT SCHULMAN: Public Safety & Thoroughfares...anybody? Anybody?

CLERK DOUGHERTY: Greg...Member Hawk.

MEMBER HAWK: Same...sa...same time, same place.

CLERK DOUGHERTY: Thank you.

PRESIDENT SCHULMAN: *(Laughs)*. Thank you. Anyone else? Ok! *(Laughs)*.

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: Let's see, we're now under Miscellaneous Business. Is there any Miscellaneous Business?

MEMBER MORRIS: Mr. President.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MORRIS: Mr. Adams. Sir, you have been a complete rock star for the city of Canton. From purchasing your own trailer to picking up garbage to fielding hundreds of complaints on Facebook, to making yourself available 24/7. You have been my go-to guy ever since I got here, dealing with the slumlords because you, the Health Department, had the guts to go after 'em and bang 'em hard. I wish you nothing but the best of luck. You were a rock star here, you're going to be a rock star there. It's been a pleasure working with you, and God bless. *(Applause)*.

PRESIDENT SCHULMAN: Thank you very much.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes.

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MEMBER SMUCKLER: Um, besides echoing those remarks, uh...Mr. Adams has had to incur my wrath over the years too, and uh, one such instance was something I apologized publicly for later, because he does do what a lot of people don't do around here. And that is, take a deep heartfelt interest in this city. And I appreciate it. Good luck where you're going, and uh, you're going to be missed sorely. Very sorely. Going back to the other issue, um, unfortunately, like I said before, I want the Eslich's paid on the record. But I also...is any of this money coming out of the General Fund or is this money coming out of that separate fund that we set up besides the CD money?

DEPUTY MAYOR WILLIAMS: Mr. President. For this particular demolition, uh, I believe it's approximately \$230,000.00 out of the CDBG Funds and roughly \$120 plus thousand out of the Vacant/Foreclosure Fund.

MEMBER SMUCKLER: So, no money is coming out of, per se, the General Fund, it's all coming out of CD or the Vacant/Foreclosure Fund? Is that correct?

DEPUTY MAYOR WILLIAMS: Yes.

MEMBER SMUCKLER: Okay. That's number one. Number two, future Law Director, I hate to welcome you this way, but I understand about the Constitution, and I understand about rights, but I also understand Council...former Councilman Williams told me this has been going on since 1990 when he was a Ward Councilman in the 4<sup>th</sup> Ward.

DEPUTY MAYOR WILLIAMS: Mr. President. That's not exactly what I shared with you. I just want to make that clear. I just want to make that perfectly clear.

MEMBER SMUCKLER: Alright, what did you share?

DEPUTY MAYOR WILLIAMS: That we have problem landlords and this is one of the problem landlords...

MEMBER SMUCKLER: That has been going on since then?

DEPUTY MAYOR WILLIAMS: Well, the issue I shared with you was separate from this. This is...

MEMBER SMUCKLER: I understand...

DEPUTY MAYOR WILLIAMS: ...Residential property.

MEMBER SMUCKLER: Residential properties. Okay, it's...the point I'm getting to, and maybe I didn't say this correctly and I apologize, the same individuals, whether your last name is Matts or some other last name, where does this stop? This has been going on now for 38 years, 28 years? Where does this stop? I mean, you gotta get tired of hearing this and you've been here less than I've been here. And I'm now to the point where I'm hoping we're going to take some action. Not only on him, but the Felice's and the other people of the world who are continual problems in this community. Before we have buildings falling on people. And then we'll be down here saying, "Oh, sorry" to the victims and the families that are left. And I'm just hoping that we do what we can, protecting people's rights but also taking care of the people who have rights on the outside too.

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ASST. LAW DIRECTOR AYLWARD: Mr. President. Just very briefly, and I'll talk to you further about this particular individual. Um, but a lot of times what we are finding is these people get in over their heads and they don't have the money to comply and no matter when you go after them, if it's...you know...a week ago or a week from now, unfortunately, we are going to be faced with the city having to pay for some of these. And that's...that's the rough thing we're going to have to face. So, we can talk further about the research we've done into this individual's ability to pay and what we can and you know, can't do, but when I look at the bill that we've incurred here, to think that he was in the position, you know, six months ago and to write a check for \$400,000.00, I have to tell you, the research that we're seeing is probably no, he probably wasn't. So, again, I understand what you're saying, "Go after him", but the results, if we have an insolvent type of a person in these properties, it's then I would be coming to you and you're not going to be happy with me then either because I'll be saying, "Yes, it's dangerous, yes we've gone in, and now we have to pay to tear it down because he can't afford it."

MEMBER SMUCKLER: But...but Law Director, correct me if I'm wrong. If he has all these other properties, wouldn't it be and is it possible to take possession in lieu of the \$400,000.00 of these other properties?

ASST. LAW DIRECTOR AYLWARD: Yes. We are looking at that, but what you're gonna find, and I hate to talk about it now that his name is out, to be honest with you, but his own personal home is in foreclosure, that he lives in, his own private home. And most of the properties that he owns, and we're doing our research, are in similar types of shape and taking possession of them sometimes is a bigger liability than what it's worth. Though we are diligently researching each and every property. We're looking at each and every thing he has and looking to see if there are mortgages on each property. So, we will leave no stone unturned, I promise you. We will, but the unfortunately thing is, I am seeing a picture of someone who probably is not sitting on a pile of money.

MEMBER SMUCKLER: I understand, Mr. President, but I also understand that if we don't have some system to take these homes down, all they're going to do is fall down, since he has no money to fix them up. And it will end up hurting someone else, or eventually we will get stuck with the payments. Now, I grant you, that's from my private law degree. I know you've got to make that decision, but it would seem to me that's why we keep talking about these folks over and over and over again, 'cause they have no money, we leave them with their property. You know that one on Cleveland Avenue, I hear about every family gathering. And, if we would have took...taken it down at the time, we wouldn't have had this problem.

ASST. LAW DIRECTOR AYLWARD: You want me to take all these down? *(Laughter)*.

MEMBER SMUCKLER: No, we don't, but I'm going to tell you what. If...if he walks up here with a bill for each one of 'em, \$400,000.00 a crack, we don't have money for that either.

ASST. LAW DIRECTOR AYLWARD: As I said, as the Law Department, we are going to leave no stone unturned and I want to commend actually, this Administration and the Mayor, who's not here, for fulling funding our Code Department and the amount of work they have done is phenomenal and the amount of properties they've torn down, I see Mark shaking, he knows, uh, Mark Adams knows the amount of properties they have torn down. So they've made a really good start. Is that perfect? No, uh, but I think they deserve kudos for what they have done.

MEMBER SMUCKLER: And I agree.

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MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER HAWK: Thank you. I'd like to personally thank Mark Adams. He's standing there shaking his head at me. He's done an exceptional job for our and uh, as a new Councilman some years ago when I first came about, Mark came on scene with Jack Wade, his accomplice and his..and his..and...and...another good employee of the Health Department, just in time to pull me off a guy I was going to throw the garbage in the back of his Mercedes Benz and make him take it home (*Laughs*), so I gotta thank him for that 'cause that saved me a whole lot of grief and anger...er anguish, but thank you Mark for...(*Inaudible*). You did too! You remember that. You remember that, don't you! (*Laughs*). Never forget that one. But again, and I'd like to apologize for my error to the Finance Director. That was my mistake on decimal points in that. That was totally my error and no one else's. Old eyes sometimes don't see everything quite right, but I apologize to you sir.

PRESIDENT SCHULMAN: Any other remarks?

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER SCAGLIONE: I'd just like to ask our future Law Director if you would, to take a look at the Vacant Commercial Property Ordinance. I know a part of that Ordinance is that these owners are to secure bonds for these properties, where if something happens, these demo fees can be taken out as bond. But I understand that one particular property in my Ward, we have a warrant out for a guys arrest but we can't tough him because he's in New York. So, if this is something that we can legally, uh, do something different with, I'd like...I'd like to look at it with you. But I agree that we should be able to (*Inaudible*) for these buildings that are coming down. The other thing...Mark Adams, (*Laughter*), I think you (*Inaudible*). You rose to the occasion (*Inaudible*) sir. Didn't matter what it was, you always answered the folks, you always answered Facebook. You answered any message that came at ya, and yes, when we needed an impound lot for shopping carts, you rose to that occasion too! So, I thank you very much for your work in the city and your staff was just great. I know they're gonna do everything they can to pick up where you left off. I thank your department very much.

MARK ADAMS: Thank you, thank you.

MEMBER MINOR SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MINOR SMITH: Thank you. I just have three things, quickly, uh, first, Mr. Adams, I want to congratulate you on your new position. It was an honor and pleasure to work with you when I worked for the city of Canton as the Director of Compliance, and you and Mr. Jim Adams helping to establish the Canton's Incident Management System based off of NIMS that we had to do throughout all of our Departments and I was just inspired of your passion. Even going out to help in other states, for floods, hurricanes and things of that nature. So, thank you for all you do and thank you for your commitment to have safety everywhere and to help people enjoy their lives after um, these natural disasters and things of that nature. Secondly, I would like to commend Mr. George Lancaster who came here a couple of weeks

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ago to encourage us all to attend the Tyler Scott Lancaster Foundation event down at the Southeast Community Center. It was a successful event to bring awareness of...about diabetes to our youth in community. And thirdly, I would just like to take a moment of silence before we leave today, in regards to April 28<sup>th</sup>, which is recognized as Workers Memorial Day. Um, the Occupational Safety and Health Act, as well as the Mind, Safety and Health Act, uh, enforce safety in the workplace and OSHA has reported, like, or estimate 5,000 deaths a year in the workplace, or work related injuries. So, it's important for all of us to have...uh...safe workplaces and I thank all those who are committed to uh, working in safe environments and making sure that we all have safe environments. So, in recognition of Workers Memorial Day, I just ask that we take a moment of silence for that. Thank you.

PRESIDENT SCHULMAN: Yes. Let's take a moment please.

*(MOMENT OF SILENCE)*

PRESIDENT SCHULMAN: Okay. Thank you. Anything else?

CLERK DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes.

CLERK DOUGHERTY: Quote for the week. I know Mr. Williams gets excited about these. *"Don't be afraid to fail, remember that failure is an event not a person."* - Arthur Unknown. Thank you.

PRESIDENT SCHULMAN: Thank you. Alright. Leader.

MEMBER SMITH: Mr. President. Best of luck Mark, in all your endeavors in the future. I move to adjourn.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adjourn. Roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. You're in adjournment. Thank you folks. Have a safe trip.

ADJOURNMENT TIME: 8:00 P.M.

ATTEST:

APPROVED:

DAVID R. DOUGHERTY  
CLERK OF COUNCIL

ALLEN SCHULMAN  
PRESIDENT