

MINUTES OF THE MEETING APRIL 11, 2016

PRESIDENT PRO TEM MORRIS: I still can't get used to rapping that thing, getting everybody's attention. Power just went to my head. With a quorum being present, the Chair now calls Canton City Council to Order. Roll call please.

ROLL CALL TAKEN BY CLERK SHOWES:

12 COUNCIL MEMBERS PRESENT: (FRANK MORRIS, CHRIS SMITH, JAMES BABCOCK, TOM HARMON, WILLIAM SMUCKLER, GREG HAWK, THOMAS WEST, JASON SCAGLIONE, KEVIN FISHER, DAVID DOUGHERTY, JOHN MARIOL & EDMOND MACK)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK SHOWES: Twelve yeas.

EXCUSING MEMBERS

PRESIDENT PRO TEM MORRIS: Thank you. Leader Smith.

MEMBER SMITH: Mr. President, I move we excuse President Schulman from tonight's meeting.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to excuse President Schulman from this evening's meeting. Any remarks under this? Hearing none, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT PRO TEM MORRIS: The motion carries and President Schulman has been excused from this evening's meeting. Tonight's invocation will be given by your truly so don't expect too much because I'm not real good at that part of this meeting. And afterwards please remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on April 11, 2016 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Kellen Showes. The invocation was given by Ward 9 Council Member, Frank Morris. The Pledge of Allegiance was led by President Pro Tem Morris.

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM MORRIS: We're now under Agenda Corrections and Changes, Leader Smith.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #7 to this evening's agenda. Ordinance #8 will be retained in committee.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to Suspend Rule 22A to add Ordinances #7

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to this evening's agenda, and Ordinance #8 will be retained in committee. Are there any remarks under this? Hearing none, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas.

PRESIDENT PRO TEM MORRIS: And Rule 22A is suspended and the Ordinance is now a part of your agenda. We are now... yes.

(Inaudible voices)

MEMBER HARMON: I think we said 7 and 8, but 8's going forward.

PRESIDENT PRO TEM MORRIS: 8's going forward?

BY ADM ASST WOOD: Yes, 7 is retained.

BY SAFETY DIRECTOR PERRY: 7 is retained.

PRESIDENT PRO TEM MORRIS: Alright, 7 is retained. We had this backwards. *(Inaudible)*... ooh she gave that dirty look. Alright, so our parliamentary king, Member Dougherty, what... what do I do from here?

MEMBER DOUGHERTY: It's 7.

PRESIDENT PRO TEM MORRIS: Do I have to vote on this again?

MEMBER DOUGHERTY: Yes.

PRESIDENT PRO TEM MORRIS: I thought we did. Let's try that again.

MEMBER SMITH: Okay.

PRESIDENT PRO TEM MORRIS: Just like golf, we get a mulligan.

MEMBER SMITH: Alright. Mr. President, I move 22A be suspend to add 2nd Reading Ordinance #8 to this evening's agenda. And, Ordinance #7 will be retained in committee.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to Suspend Rule 22A to add Ordinances #8 to this evening's agenda. Ordinance #7 will be retained in committee. Are there any remarks? Hearing none, roll call vote for the second time.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

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PRESIDENT PRO TEM MORRIS: Okay. Rule 22A is suspended and the Ordinance is a part of your legal agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM MORRIS: We are now under Public Hearings. We have no public hearings this evening.

OLD BUSINESS

PRESIDENT PRO TEM MORRIS: We're now under Old Business, and we have no Old Business.

PUBLIC SPEAKS

PRESIDENT PRO TEM MORRIS: So, we are on to Public Speaks. Tonight we have eight speakers signed up, and when I call your name if you could please approach the podium, state your name and your address for the record. Also please keep in mind that you are limited to three minutes, so if the buzzer goes off please conclude. If you run a little past I don't like to interrupt you, but sometimes to stay within the Rules of Council I have to. So our first speaker tonight is Mr. Robert Taber.

ROBERT TABER: My names is Robert Taber. I live at 2208 Dover Avenue. Hi, neighbor.

THE AUDIENCE: Hi, neighbor!

ROBERT TABER: Hey, I've been here three times now. The first time I was here was about the concerns of the property next to mine which burned down almost three years ago now on Dov... on Dover and 22nd. Uh, they evacuated 21 blocks of the city. Uh, first time I came here was with my concerns, the second time I had been drug down the road by a thief, and I'm here today with the concerns of my other neighbors. We've had murder there now, and when this property first burned down almost three years ago the man who owned it was ordered to put up a fence. There's still been no fence put up around this property. We have a lot of mischievous acts going on at this property. And he is now putting up road barriers which from the... from the... like on the highway which is not a fence. It's kinda causing a little bit of difficulty on my property as to turning into my property. But this mess, he is now building a roof onto the building. He has put new... new trusses up and building... put doors on he building, but all the junk and the debris is still sitting there. How can this man be getting these permits to go further with this? This is a toxic property. And I would just like someone to take... I've called several different people about the matter to come out and take a look at what he's doing and to try to get some of this cleaned up, and that's what I have to say. Thank you very much for listening.

PRESIDENT PRO TEM MORRIS: Thank you, Mr. Taber. Uh... (*Applause*). For... for a point of clarification on that concern you have on that property, I am working with that property owner as well as his attorney, Mr. Brian Zimmerman, and I've reached out to Darla Hinderer which is in our zoning department regarding this property. Uh, first off we should be extremely blessed that that property was actually bought by somebody and he is making an effort to clean it. I have reached out to him as well as his attorney. We are trying to work diligently to get the fence and everything up so he is compliant with the city, but at the same time we need to cut him some latitude because he did take an EPA nightmare off of the city's hands and he is cleaning up that entire area. So, we're going to work with him, I don't really want to work against him, so thank you for your concerns on that. Our next speaker tonight is Mr. Walter Moss.

WALTER MOSS: Pastor Walter Moss, 1601 Harvard Ave NW, Canton, Ohio. I am also the Community to Reduce Violence Project Director, and I just waned to give a quick report that our CIRV Project that we

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restarted November 2013 is going well. On... on April 2nd we did a collaboration with the Canton Police Department. Walsh University, Kent State University, neighbors in the community, community people in the Gibbs area and the Belden area, we did the second community police survey, and Walsh University and Kent State is tabulating that information. Once we get that it will be in the hands of the Canton Police Department. But it was great effort from the community, and also I am a part of the neighborhood association Vassar Park, and I'm just glad to be a part of these associations. *(Applause)* And Canton is really blessed, and I've also been working with juveniles. Uh, we haven't seen any... a lot of GMI group member involvement activity of late, but you know we're doing a lot of prevention, I'm going into the schools, I'm going to where the young people are. Uh, we're working with the paroles on the adult side, and we're talking to people about no violence, and so the project as far as I'm concerned has been doing what it's supposed to do. But with all the councilmen I want you to know if you have young people or people in your neighborhood that you want me to come and talk to I'll do that. God bless you and thank you. *(Applause)*

PRESIDENT PRO TEM MORRIS: Our next speaker tonight is Mr. Jim Knight.

JIM KNIGHT: Good evening, everybody. Jim Knight, 4256 Fletcher Dr., Norton, and I'm with Pastor Walter Moss tonight on behalf of the Stark Community Initiative to Reduce Violence. Just to kina piggy back on some things that he had said and that we have. We did do that survey. We are gonna be moving forward this summer, hopefully talking with more neighborhood residents, going door to door and just letting them know about the resources we do have available. And I just want to thank all the neighborhood associations that have come out tonight. It's been a... it's really been a blessing to work with many of you and to speak at your meetings, and I would love the opportunity to come and talk on things related to crime prevention and to work with all of you in City Council as well. So, just really... really happy to be there in that regard, and we ha... I'll have some cards and some more information. If you want to find out about having me or Pastor Walter Moss come and speak at one of your neighborhood meetings, let us know, I'll have the information here available. Thank you so much. *(Applause)*

PRESIDENT PRO TEM MORRIS: Thank you, Mr. Knight. Our next speaker is Pat Wesson.

PAT WESSON: Good evening, everyone. I'm here tonight as part of the Neighborhood Leadership Council.

PRESIDENT PRO TEM MORRIS: I need your address.

PAT WESSON: Oh, my address. 123 34th St. NW in Canton, of course. I am here as part of the Neighborhood Leadership Council. As most of you know we are a network of citizens representing most of Canton's 51 neighborhood associations. Uh, the Neighborhood Leadership Council was organized I believe some 20 years ago by the Stark Community Foundation. We continue to meet at the Foundation monthly under the leadership and with support from Marilyn Thomas Jones who is here someone tonight. Marilyn. Uh, I'm going to ask now that, you know, we represent people and neighbors of all ages and all socio-economic groups in every quadrant of the city, and I'm gonna ask everybody to stand up, everyone who's a member or is here tonight representing a neighborhood association, stand up and be recognized. *(Applause)* Thank you all. Uh, you... you will see many familiar faces tonight because this is an annual event. We come every April. And you will also recognize many people in the audience because we show up for citywide meetings, rather we're talking about the schools, the Comprehensive Plan, Charter initiatives, candidates forums. In fact we have a candidates forum every October downtown. So these are the folks that pay attention, but tonight we're here to watch and we're also here to educate ourselves about the workings of our city government and our elected representatives. Uh, we're

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here because we are concerned citizens and we are committed to Canton's future growth, stability and healthy neighborhoods. Uh, we also want to thank Council and the Mayor. We appreciate... we really do appreciate the hard work you do and we recognize that there may be some tough times ahead with tight finances and (*unintelligible*) this city. Uh, we strongly believe our neighborhoods are critical to Canton's success. Canton's neighborhoods are a good place to start and an even better place to stay. I think you have all heard the Neighborhood Leadership Council's rallying cry and our motto, and that is (*spoken by Ms. Wesson along with the audience*) "You don't have to move to live in a better neighborhood." Thank you. (*Applause*)

PRESIDENT PRO TEM MORRIS: Thank you. Next speaker is Mr. Paul Burt.

PAUL BURT: Hi, neighbors.

THE AUDIENCE: Hi, neighbor.

PAUL BURT: My name is Paul Burt, I stay at 1458 Housel Ave SE, and my concern is bad houses in our neighborhood. Slum lords in our neighborhood. This is the year 2000 and the slum lords are still getting away. They pay that little money to get that little certificate to keep their house, but the way the houses are, shouldn't be done like that. My concern is like the house across the street from us, real bad. The neighbors over there take their trash out before the city even come. The trash, they out there after the city come, they won't pick it up because they're not properly storing it right. It's mattresses, rugs, they got all kind of animals over there. I mean, and it's... it's a sore sight for eyes to see. And I stay across the street from that. And I... and you know, I'm tired of it. You know, and I bring the issue... I brought the issue up a couple of years ago, same house. You all know the landlord if I say his name, but, you know, it's time to change this now. We're in a year 2000. I mean these slum lords is paying that money. Forget that money. I mean if a house ain't up to par, should no one live in it. You know, it's code enforcement's need to come out and check these houses out. Especially the one across the street, the one next to it. There's a bunch of them over there. I wrote a list with all the houses on there, and like I said, we need a change here. I mean all you Councils need to get together, and you all need to say hey look, let's look into this here. This is a serious matter now. We're in a year 2000, slum lords are still doing the same thing. (*Inaudible voice from the audience*) 16? But you all know... (*Laughter*) Well, you all know what I mean. You know, we're in... we're... we're in... 16 is after the 20, you know what I'm saying? See what I'm saying? So it's the year 2016, but we're in a year 2000. You know what I'm saying? I don't need no expletive behind it, but you all be checking it out. Thank you. (*Applause*)

PRESIDENT PRO TEM MORRIS: Thank you. Our next speaker is Chris Leach.

CHRIS LEACH: Chris Leach, 1368 Scoville Ave SW, Chairman of Swift. Hi, neighbors.

THE AUDIENCE: Hi, neighbor.

CHRIS LEACH: Uh, my concern this evening is... is all the cars that are parked everywhere in our neighborhoods. Uh, a lot with expired plates. You know, it comes tax time and I'm not sure why everybody feels they need a new car, so the old one goes to the wayside and sits. Um, if I'm not mistaken, if you do have a licensed car you're also required to have insurance for it. I'm sure that if we came around and took a poll, most of these cars have no insurance or valid plates. Um, I understand with the cutback in... in city workers there's not a lot of people to go around to check things like this, but it truly is an eyesore that's a problem in my neighborhood. Also, now that the weather has changed I've noticed the mini bikes, the four wheelers, the go

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carts are out in full force already. Um, that's a safety hazard not only for the kids riding them, but the people who are trying to get back and forth in cars. It's just something that's on my mind, and I'd like to bring it to your attention. Thank you. (*Applause*)

PRESIDENT PRO TEM MORRIS: Thank you. Our next speaker, Lynn Payton.

LYNN PAYTON: Hi, Lynn Payton. Hi, neighbors.

THE AUDIENCE: Hi, neighbor.

LYNN PAYTON: I live at 1304 SE on Roe Ct., and I'm from the Asian... the Action Neighborhood Association. We want to know who's responsible for our street lights and our potholes. Who's responsible for our wild (*unintelligible*)... geese poop all over? How come our... uh, that Jackson Pool can't be turned into a kiddy park for our neighborhood? And how come nobody told us anything about the haunted house? And why don't we have bus shelters at our bus stop? And how come are kids gotta catch the bus next to the haunted house? And why is the Center closing?

PRESIDENT PRO TEM MORRIS: Which Center, ma'am?

LYNN PAYTON: Southeast on Sherrick, next to Allen School. We just marched two weeks ago to keep it open.

PRESIDENT PRO TEM MORRIS: I'm sure Member Smith would love to talk to you about that after the meeting cause that would be a shock to all of us if that were closing, and...

LYNN PAYTON: Yes. Okay, thank you.

PRESIDENT PRO TEM MORRIS: Alright, thank you. (*Applause*) Our next speaker, Marcia Zuwecky. (*Inaudible voice from audience*) Zuwacky. (*Laughter*) Gee, such a... We have this up too loud. People down on Cleveland Avenue can hear me.

MARCIA ZUWACKY: Marcia Zuwacky, 2831 Harrison Ave NW, Canton. I sit hear and listen to all the things when the people come up and what they're talking about. I listened to that presentation tonight. I think the... the committee did an excellent job of putting a lot of good information together, okay. And I... and sit here and how I feel about my beloved city. I was born in this city, okay. And what I come up here and ask you guys, okay, you've all been elected, you represent us, okay. Please, please take to heart what is happening to us. We have shrunk through no fault of our own mostly, okay. The people that you see here right now love this city and they're trying their absolute best to do good things to keep it in good stead. And it's not in good stead. You just heard what, okay... you heard a bunch of them, okay. Please, okay. I... I'm in a unique position. I'm on Fair Housing and I'm a neighborhood president, and I can see in Fair Housing where our code people who... whoever it is that's supposed to be responsible for the quality of our housing, it's not happening, okay. There was a lady that came with a complaint to Fair Housing, okay, disabled. The toilet rocked, okay. She couldn't use the toilet. Nobody could use the toilet. They guy came to fix something else in the house. The landlord had a piece of plywood on for a door. Not a door, a piece of plywood, okay. The person comes in to fix something else for this lady, says he needs to use the toilet. She said you can't use the toilet, it's broken, okay. He went downstairs, come back up, and told her that he peed in her basement. Now, that there's this mentality that if... if you are poor, or you're whatever, okay, that you deserve to be treated bad. And that is not true, okay. And in...

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in some part this is because the quality of our houses, whatever... whatever, if they're excess houses or they're houses owned by somebody, okay, they're not being kept up, okay. And... and the people that are struggling to stay alive and stay in somewhere instead of being homeless, and the way they're being treated, okay. I am begging you, I am begging you to pay more attention to the quality of our housing. You guys... you're... we already are not getting enough taxes to... to run the city, okay. And you're not going to get more taxes from a substandard house, okay. Get rid of the ones that nobody wants. Just like Paul was talking about, like Chris was talking about. Get rid of these houses and make the quality of the other houses better so you can get higher taxes on them if... if for want of a good reason. I'm, you know, my thing is that we don't deserve to live like that. Thank you for letting me come here and talk. (*Applause*)

PRESIDENT PRO TEM MORRIS: Thank you. That concludes Public Speaks.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM MORRIS: And we are now under Informal Resolutions. We have no Informal Resolutions this evening.

COMMUNICATIONS

PRESIDENT PRO TEM MORRIS: Let the record show that all Communications have been read and received.

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 11, 2016.

148. COMM DEV DIRECTOR MILLER: AUTHORIZE MAYOR TO SUBMIT THE CITY'S 2016 ANNUAL ACTION PLAN TO HUD AND TO ACCEPT AND EXECUTE GRANT AGMTS WITH HUD FOR 2016 PROG YR; AUTHORIZE MAYOR TO REVISE AND/OR AMEND CONSOLIDATED PLAN & BUDGETS FOR CDBG, HOME AND ESG PER CITIZEN'S PARTICIPATION PLAN; AUTHORIZE & DIRECT AUDITOR TO REVISE BUDGETS AS PERMITTED; UTILIZE ESTABLISHED FUND ACCTS KNOWN AS CDBG, HOME AND ESG AND DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
149. LIQUOR CONTROL DIV (OHIO): REQ D1 D3 NEW PERMIT FOR T BIRD BAR AND GRILL LLC DBA THE T-BIRD BAR AND GRILL @ 1425 15TH ST SW. - RECEIVED & FILED
150. MAYOR BERNABEI: ADOPT TAX INCENTIVE REVIEW COUNCIL'S RECOMMENDATIONS REGARDING ENTERPRISE ZONE & COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGMTS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
151. PARK DIRECTOR GORDON: AUTHORIZE PARK DIR/PARK COMM TO ENTER INTO CONTRACT FOR PURCH OF ONE (1) 2016 FORD F250 SRW 4X4 REG CAB FR DOWNTOWN FORD FOR PRICE OF \$26,312.42 IN ACCORD WITH ORC 125.04 (STATE COOP PURCH THRU DEPT OF ADMIN SERV) OR ORC 5513.01 (OHIO DEPT OF TRANS COOP PURCH); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
152. SAFETY DIRECTOR PERRY: REQ LEGISLATION AMENDING CODIFIED ORDINANCE SEC 1351.03 TO INCLUDE WORDING "VACANT" IN CONJUNCTION WITH "NON-OWNER

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OCCUPIED". - JUDICIARY COMMITTEE

153. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO THREE (3) YR PROF SERVS CONTRACT WITH PHYSIO-CONTROL, INC. FR 5/2/16 TO 5/1/19 FOR CARDIAC MONITOR MAINT IN AMT NOT TO EXCEED \$61,882.80; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
154. SAFETY DIRECTOR PERRY: REQ APPROVAL OF SHOTSPOTTER FLEX CONTRACT RENEWAL FOR ADDT'L ONE-YEAR TERM IN AMT OF \$135,000.00, DUE 5/30/16 FR POLICE ADMIN FUNDS. - FINANCE COMMITTEE
155. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH ME/IBI GROUP FOR DESIGN; MAKE \$35,997.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207043 RIDGEWOOD EAST WATER MAIN REPLACEMENT & ROADWAY RECONSTRUCTION PROJ - OTHER; \$16,675.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 207043 RIDGEWOOD EAST WATER MAIN REPLACEMENT & ROADWAY RECONSTRUCTION PROJ - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - RECEIVED & FILED
156. TREASURER PEREZ: RPT OF PARKING METER REV FOR MARCH 2016. - RECEIVED & FILED
157. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX FOR MARCH 2016. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM MORRIS: And we are now on to Ordinances and Formal Resolutions for their First Reading. Begin with Ordinance #1.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK SHOWES TO READ ORDINANCE #1 THROUGH ORDINANCE #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST 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 (P.A.L. MISSION) **PUB HRG 4/25/16 @ 7:32 PM**
Referred to Judiciary Committee
- #2. (1ST 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 (HAMMER & NAILS) **PUB HRG 4/25/16 @ 7:33 PM**
Referred to Judiciary Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE FIRST TEE OF CANTON NO. 2 ANNEXATION AREA CONTAINING APPROXIMATELY 0.099 ACRES; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS OS (OPEN SPACE); AND DECLARING THE SAME TO BE AN EMERGENCY

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- #4. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$11,649.61 APPROP TRF FR 4502 104020 TRAFFIC SIGNAL - PERSONNEL TO 4502 104020 TRAFFIC SIGNAL - OTHER; \$4,980.03 APPROP TRF FR 4502 104040 TRAFFIC ENG/PARKING METER - PERSONNEL TO 4502 104040 TRAFFIC ENG/PARKING METER - OTHER)
Referred to Public Property Capital Improvement Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #1 AND FINAL WITH ACLARA TECHNOLOGIES, LLC, IN AN AMOUNT NOT TO EXCEED \$142,539.04 FOR THE WATER METER AND METER TRANSMITTING UNIT REPLACEMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #6 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT AND ALSO EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES FOR THE AVONDALE AREA PHASE I WATER MAIN REPLACEMENT PROJECT; RECEIVE GRANT FUNDS IN THE AMOUNT OF \$475,000 AND A ZERO PERCENT INTEREST LOAN IN THE AMOUNT OF \$475,000; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5232 AVONDALE AREA PHASE I WATER MAIN REPLACEMENT PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$950,000.00 SUPP APPROP FR UNAPPROP BAL OF 5232 AVONDALE PHASE I WATER MAIN REPLACEMENT PROJ FUND TO 5232 207035 AVONDALE PHASE I WATER MAIN REPLACEMENT - OTHER; \$1,345,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207035 AVONDALE PHASE I WATER MAIN REPLACEMENT - OTHER)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM MORRIS: We are now under Ordinances and Formal Resolutions for their Second Reading. Please begin with Ordinance #8. Well, yeah. Well, #7 was held in committee, correct? Yeah.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK SHOWES TO READ ORDINANCE #8 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #7 WAS RETAINED IN COMMITTEE):

- #7. (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE ADDING CHAPTER 1352, VACANT COMMERCIAL PROPERTY MAINTENANCE AND STANDARDS, TO THE BUILDING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
- #8. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND

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DECLARING THE SAME TO BE AN EMERGENCY (\$50,472.16 FR UNAPPROP BAL OF 2776 POLICE DONATION FUND TO 2776 102001 POLICE DONATION - OTHER - \$5,004.48, 2776 102005 POLICE DONATION - \$45,467.68)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM MORRIS: Okay. We are now under Formal... Ordinances and Formal Resolutions for their Third and Final Reading. Ordinance #9, please.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK SHOWES TO READ ORDINANCE #9 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#9 (3RD RDG) **ADOPTED AS ORDINANCE NO. 65/2016** AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PLAIN TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT(S) FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY (LOT #103 WOODCREST AVE NE)

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #9. Any remarks under this? Hearing none, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

#9 ADOPTED AS ORDINANCE NO. 65/2016

PRESIDENT PRO TEM MORRIS: Ordinance #9 has been adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM MORRIS: We are now under Announcements of Committees.

MEMBER MARIOL: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Mariol.

MEMBER MARIOL: Finance Committee will meet next week, which will be April 18th at 6:30.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM MORRIS: Member West.

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MEMBER WEST: Annexation will meet some time, same place.

PRESIDENT PRO TEM MORRIS: Thank you. Member Mack. Member Dougherty.

MEMBER DOUGHERTY: Mr. President, Public Property Capital Improvement will meet the 18th at 6:30.

PRESIDENT PRO TEM MORRIS: And Member Mack.

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

PRESIDENT PRO TEM MORRIS: Okay. Leader Smith.

MEMBER SMITH: Mr. President, (*inaudible*).

PRESIDENT PRO TEM MORRIS: Yes, ma'am. Sorry.

MISCELLANEOUS BUSINESS

MEMBER SMITH: Okay. I would just like to (*inaudible*). I will meet with you as far as the Center closing is (*inaudible*). And that Center will remain open. For your other questions, I'd be more than happy to ask them for you because (*inaudible*) answer for every question that you asked. Thank you.

MEMBER FISHER: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Fisher.

MEMBER FISHER: I want to thank everybody from the Neighborhood Leadership Council for coming in. Um, we do appreciate everything you do. And to my friend, Chris Leach. Everything you said was accurate right up to the point where you said the weather is changing, because there was snow on the ground all weekend. (*Laughter*) I don't know what... what weather you're talking about. Uh, but on the issues of the cars being parked out there, I spoke with your co-chairman of Swift one week ago and we followed up with conversation with the Chief and Captain Angelo, and we're gonna try to get you some help on that as well.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM MORRIS: Member West.

MEMBER WEST: Yes, this is for the Service Director and I guess I'll... I'd also talk to them about sidewalks. Uh, the sidewalks that we placed on 12th Street, that we just completed on 12th Street. Um, this past winter (*inaudible*), and if you look at the curbs now they're... they're eroding already. So I have a concern about the quality of cement that they poured or the... I don't know if that's the plows or the trucks that go back and do work for the lighting posts, but on 12th and McKinley right now that one's breaking down. On Cleveland it's breaking down. So if we could have someone inspect those and try to get those fixed because it just... it was less than six months since they been laid. Uh, the second thing was the 12th Street Project is gonna be under way in about a week. As soon as the rain stops they're gonna start 12th Street between Market and Cleveland. So that's gonna be torn up, so kinda avoid that for a little bit, but please make certain that you still participate with some of the restaurants like Dessert Inn and all those. Make sure you go out and support them during that process, but it shouldn't take that long, correct? (*Inaudible voice*) And then also down on O'Jays Parkway.

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Yes, everybody knows the construction started down there on 12th Street as well, so avoid that area as well. Thank you. Service Director, do you want to comment about the sidewalks or the 12th Street?

SERVICE DIRECTOR BARTOS: Mr. Leader. No, I'll... I'll make sure we check into those. It could be a combination of factors, but we'll make sure we're getting a quality product on that, and so I'll report back next week.

MEMBER HAWK: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Hawk.

MEMBER HAWK: Thank you, sir. I'd like to thank our Traffic Engineering Department for some very, very prompt service in replacing a sign. Uh, actually sometimes we don't understand what they guys go through and what they do and we tend to criticize them, but let me assure you that they did a marvelous job replacing the sign. It was done very quickly and very efficiently and I appreciate that hard work. Thank you.

PRESIDENT PRO TEM MORRIS: Thank you.

MEMBER SMITH: Mr. President, I also would like to move that we go into Executive Session.

MEMBER BABCOCK: Second.

MEMBER DOUGHERTY: Can we do the other stuff first?

PRESIDENT PRO TEM MORRIS: Uh, yes. Can we... Member Dougherty.

MEMBER DOUGHERTY: Mr. President, thanks. Yes, I was talking to Marilyn before the meeting and she was saying how nice everything's looking along the corridor and everything, and that's gonna be something special. And we started talking and it was... it took a long time. And when I was doing the ground breaking of downtown. Yes, I've been here that long. *(Laughter)* Uh, I have the shovel too. I still have the shovel. But, I thought, you know, it would be nice to do our corridors coming into the city. Well, that met with a lot of friction back then, and it was like that's you're... you're way outside the box, Dave. You don't... that'll... that'll never happen. That'll never happen. So, as we were... as the neighborhood groups would be meeting they got the idea well, why... why don't we do this, and go try to get some money from the foundations and start this. And some people don't know that that's how that \$25,000.00 seed was planted. And we flew to Washington, we drove to Columbus, we went anywhere we could for anybody that would listen to us to try to get that money. And that took ten years at least. So that \$25,000.00 seed from found... to the neighborhood groups that said let's do this from the neighborhood up, not government down, was the first in the history of the city for a project that big. A project, quarter project, is a \$20,000,000.00 project, so my vision was do that and then get it all the way to the highway. And that's what he's talking about with 12th Street, and that's from that seed that was planted many, many years ago. Thank you. *(Applause)*

PRESIDENT PRO TEM MORRIS: Oh, I do have one question though when it comes to the ground breaking of downtown. Was that like back in the original ground breaking *(laughter)* or is that something relatively horse and buggy? Oh. I would like to comment regarding the housing stock. As... as Member Dougherty just pointed out, it seems like it takes awhile to get things done. I been fighting for a housing track for four years. Now I'm on my second administration, still fighting the same battles with code enforcement, still fighting the battle of

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getting things done, and we have wonderful laws. Our biggest problem in the city has been enforcement, enforcement, enforcement. Okay. And when I say we feel your pain, we really do. There are 50 houses that I could turn into code enforcement, and we turn them in, we SeeClickFix them, and we get no further than you sometimes. And then we pick up the phone and we pound on the desk and we raise hell, and then we get a little baby step and we get a little bit closer, and then we scream a little louder. So last year this Council met with the Administration, we met with the Building Department, we met with the Law Department. Everybody had the same concern. We do not have the resources available to address the problem. So we went after 49% of the community which is the landlords. At the end of the day you can say landlords are great. I think they're tearing down my own personal neighborhood and they're driving my property down because they don't have the same accountability and the same love for the community as you, a homeowner. Some do, I'm not trying to put them all in one bag, but all in all owner occupiers seem to take better care of their property. So we are moving forward. We imposed... we took their minimal fee as somebody said, they're registration, which was minimal, \$20.00 to \$80.00. We've taken the Building Department to an enterprise fund which means they will have the budget to hire more code enforcement officers. They will have the resources to prosecute. That's where we're at. Six months from now if it's not making progress I will be the first one standing up here jumping up and down screaming my head off wanting results. But we do hear you loud and clear on the housing. Law Director.

LAW DIRECTOR MARTUCCIO: To segue, he will be screaming up and down in six months. Hi, neighbors.

THE AUDIENCE: Hi, neighbor.

LAW DIRECTOR MARTUCCIO: I do belong to a neighborhood association and I wanted to give a shout out to my colleagues on the Market Hills Association. By having sat in dining rooms and looking at the amount and volume of work, President Hoopes and our Treasurer's turnout, I'm in awe at how much voluntary time goes into those documents and those e-mails and that care and that preparation, so all of you I know are doing that. And I want to thank you for that. Um, there was a joke earlier about age. I'm old, and one of the few... there are a few good things about getting old. One of them is that I can look out and see so many faces that I would not have made friends with were I not a veteran. And of them is someone I actually went to high school with over 40 years ago in Girard. I've been here for 36 years, and I'm proud and happy to say that I've made such good friends with so many of you out there. Here, and I've never seen a depth of commitment, passion. Some of you it turns out were from the Players Guild. Some wonderful crew out there and cast from the Players Guild. *(Laughter)* And... and it used to be said ah, you can't see good plays locally, they're amateurs. Well, you all know and I know from the sports, the music, from wherever your interests are, amateurs can be damn good because they care, they have passion, they have love. And that's what you are. We are paid. And hopefully we care as deeply as you do, but you are volunteering and you bring your passion and your care and your concern to us, and we need your eyes and ears because I want to duck tail onto something else Leader Morris said. Linda Barns articulated earlier a lot of your goals, a lot of your hopes, and a lot of your concerns, and one of them was for a housing court. As Leader Morris correctly noted tonight it's a housing track. Housing courts can only be born and given birth by the General Assembly of Ohio, the House and the Senate. And there are only a few in all of Ohio and the larger cities. But, thanks to folks like the Administration, Leader Morris, and the Courts, all three branches have come together and said we'd like to have a housing track. We already do a lot of cases regarding landlords and tenants, we can add prosecution and code violations, civil and criminal. So with their persistence a housing track is in the works that will take place on a regular basis in Canton Municipal Court. Toward that end I know that we and the Law Department have said we need help getting evidence. We need help putting something in front of a judge or a jury we can use to convict someone, we just can't use hearsay. And we ourselves can't go out and measure grass and testify. So, we've had a lot of help in that respect and we have had a few convictions this past year, notably two this month, and there are a couple more in the chute. We

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also are furloughing. We are reducing our department by attrition and furlough, so we naturally have to do some triage and again that's where your eyes and ears and your passion come in, in helping us identify the worst of the worst and begin with those, to set examples and begin to get a pattern and habit going. And I can assure you that I am so grateful for the patience of everybody on Council and the Administration for letting us take some time to do what we need to do and craft some things. I know many of you including Member Harmon are patiently waiting for a number of ordinances to come that will help out, so thank you for helping. Thank you for being our eyes and ears. We will try to do the best we can with what we have. Thank you. (*Applause*)

PRESIDENT PRO TEM MORRIS: Thank you, Law Director. Leader.

MEMBER SMITH: Mr. President, now, I move that we go into Executive Session (*inaudible*).

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded that Council goes into Executive Session to discuss personnel issues. Who... who's going?

LAW DIRECTOR MARTUCCIO: Member Morris, if I can, can we specify the nature of the personnel. It's either consider appointments, (*inaudible*), compensation, discipline...

MEMBER SMITH: Compensation...

LAW DIRECTOR MARTUCCIO: Compensation for public officials. Thank you. And could you in your motion also please name the people outside the Council you would like to have in that session. If anyone

MEMBER SMITH: Just Council Members, please.

LAW DIRECTOR MARTUCCIO: Thank you.

PRESIDENT PRO TEM MORRIS: It's been moved and second...

MEMBER DOUGHERTY: Mr. President.

PRESIDENT PRO TEM MORRIS: Yeah, Member Dougherty.

MEMBER DOUGHERTY: Uh, there's a suggestion that the Law Director be in there with us, please.

PRESIDENT PRO TEM MORRIS: Okay. Okay, so moved and second... okay, but to clarify we're going into personnel to discuss... or into Executive Session, personnel, to discuss compensation, include all Council Members as well as the Law Director.

MEMBER SMITH: Yes.

PRESIDENT PRO TEM MORRIS: Okay. And just for a point of clarification to the audience, we will not be taking any action when we come out and adjourn from Executive Session, and we will just move to adjourn the meeting so you are free to go once we... we do this. So it's been moved and seconded... can a roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT PRO TEM MORRIS: Thank you.

(Recording stops and restarts as follows):

MEMBER SMITH: Mr. President, I move we come out of Executive Session.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to come out of Executive Session. Roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas.

PRESIDENT PRO TEM MORRIS: Hold on. Don't go anywhere. Leader Smith.

MEMBER SMITH: I move to adjourn.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded... oh, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve...

PRESIDENT PRO TEM MORRIS: *(Gavel falls)* Meeting... meeting adjourned.

ADJOURNMENT TIME: 8:23 P.M.

ATTEST:

APPROVED:

KELLEN SHOWES
CLERK OF COUNCIL

FRANK MORRIS
PRESIDENT PRO TEM