

CITY OF NORTH CANTON, OHIO

IN RE:)
)
 NORTH CANTON)
 COMMITTEE OF THE WHOLE)
 MEETING)
) TRANSCRIPT OF PROCEEDINGS
)

Transcript of Proceedings held before North Canton City Council, taken by the undersigned, Shannon L. Newhall, a Registered Professional Reporter and Notary Public in and for the State of Ohio, at the North Canton Civic Center, 845 West Maple Street, North Canton, Ohio, on Monday, the 18th day of April, 2022, at 7:00 p.m.

1 APPEARANCES:

2 Matthew Stroia, President

3 Daryl Revoldt, Member

4 David Metheney, Member

5 John Orr, Member

6 Stephanie Werren, Member

7 Christina Weyrick, Member

8 Jamie McCleaster, Member

9 Stephan B. Wilder, Mayor

10 Patrick DeOrio, Director of Administrator

11 Catherine Farina, Deputy Director of

12 Administration

13 Jina Alaback, Director of Finance

14 Wayne Boyer, Director of Law

15 Benjamin R. Young, Council Clerk

16 Kevin Coblentz, Assistant Clerk

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1 MR. STROIA: I now call to order the
2 Special meeting -- Special Council meeting of
3 Monday, April 18th --

4 MR. YOUNG: Wrong agenda.

5 MR. STROIA: -- 2022. The time is 7:00
6 p.m.

7 MR. REVOLDT: Let's start over.

8 MR. YOUNG: Committee first.

9 MR. REVOLDT: It's Committee of the
10 Whole.

11 MR. STROIA: Oh, I'm sorry. First. Let
12 me start over.

13 MS. WERREN: Take two.

14 MR. STROIA: Take two. I now call to
15 order the Committee of the Whole meeting on
16 Monday, April 18th, 2022. The time is 7:00
17 p.m.

18 Ben, would you please call the roll?

19 MR. YOUNG: Member Orr.

20 MR. ORR: Here.

21 MR. YOUNG: Member Metheney.

22 MR. METHENEY: Here.

23 MR. YOUNG: Member Revoldt.

24 MR. REVOLDT: Here.

25 MR. YOUNG: Member Stroia.

1 MR. STROIA: Here.

2 MR. YOUNG: Member Werren.

3 MS. WERREN: Here.

4 MR. YOUNG: Member Weyrick.

5 MS. WEYRICK: Here.

6 MR. YOUNG: Member McCleaster.

7 MR. MCCLEASTER: Here.

8 MR. YOUNG: Seven present.

9 MR. STROIA: Okay. Daryl, let's kick it
10 off.

11 MR. REVOLDT: Thank you very much. Well,
12 before us for our consideration this evening
13 is the long-awaited ordinance establishing
14 Chapter 703, registration of rental -- rental
15 units. Ben has done an excellent job
16 recapping the history of this.

17 I would supplement it only with a couple
18 of just sort of general comments. The first
19 is that both in 2019 and 2021 our surveys
20 indicated that rental registration or rentals
21 was an issue of concern among our
22 constituents.

23 Many were concerned about the
24 proliferation and some were concerned about
25 the long-term impact upon the community. As

1 I read the papers from Northeast Ohio, other
2 aging communities such as ours have had real
3 problems. We are not -- we may not be there
4 yet.

5 One of the advantages of having a rental
6 registration is our ability to literally
7 collect data upon which to make decisions.
8 And I underscore that. It's not what we
9 think is going on, but what is actually
10 occurring. And the registration will give us
11 numbers and also compliance information which
12 is absolutely critical. So without that type
13 of data, it's very difficult to create a
14 longer term strategy for the community.

15 What are the kinds of things that we are
16 looking for? We are looking at numbers. We
17 are looking at safety issues, such as smoke
18 detectors, carbon monoxide. We are looking
19 for health issues. We are looking for
20 maintenance issues. We are just beginning
21 this process. As our administrator says,
22 there are four items to consider as we launch
23 an initiative; the process, the policy, the
24 people who will execute that policy, and how
25 we will pay for it.

1 What -- before I turn it over to the
2 administration to dive into this in more
3 detail, what I'd like to do is schedule this
4 for a return to the next Committee of the
5 Whole. So after all the conversation occurs
6 tonight, I'd like to bring it back an
7 additional time, and then we will take it out
8 for its three readings if we have concluded
9 our business. I believe that we will by
10 then.

11 We'll have an opportunity to weigh input
12 from the community and from the members of
13 Council. If you haven't submitted questions
14 to the administration, I would encourage you
15 to do so. If you need, you can pass them
16 through Ben or directly to Patrick.

17 But let me just underscore this point, is
18 that we are familiar with communities where
19 rentals, particularly the single family --
20 and I guess that's the area that concerns me
21 most, the rental of single families; not the
22 complexes, the large with, you know, 50 or
23 100 units. But really the smaller mom and
24 pops.

25 When we look at other communities, those

1 are -- those -- some of those communities
2 have very serious problems. And once your
3 rental situation gets out of control, once
4 you lose control of it with nonresponsive
5 owners who are not interested in the
6 well-being of the community, it's very, very
7 difficult to get it back. Cleveland has
8 struggled mightily. Akron struggles. I
9 think Alliance has had some issues. It's
10 clearly not something that we want to -- a
11 place we want to be.

12 The risk is, for any community, as your
13 housing stock ages -- and we all know by
14 driving through town that the bulk of our
15 housing stock, well beyond 50 percent, is
16 almost 60 years old or older. And so we are
17 now moving into what I would call the -- the
18 zone, if you will, when you are at risk. So
19 this is why our consideration in this matter
20 is -- I -- I regard as critical for our
21 long-term future.

22 So having provided a general
23 introduction, Patrick, if you want to pull
24 over and recount the highlights. I think all
25 of you should have in your packets a

1 one-pager. But you might -- Patrick, you
2 might want to amplify or contradict something
3 that I have said, and --

4 MR. DEORIO: Okay.

5 MR. REVOLDT: -- have at it.

6 MR. DEORIO: Very good. All right. So
7 as Ben had put out in the history, this was
8 a -- tried in 1978 and 2013. I was not here
9 for either of those. But it was in the 2018
10 period which -- in which I was here and tried
11 to get this off the ground.

12 And I would just say that, you know, it
13 was certainly the intent to present a
14 deliverable to Council at that time, but I do
15 believe, as I've said recently, that all
16 the -- all the pieces were not in place to be
17 able to execute this policy. So that's the
18 difference between, you know, then and now.

19 So we talk about, you know, having the
20 team in place that's going to execute this
21 policy. So that's going to be through our
22 contract with SAFEbuilt. So we are
23 anticipating then, if this becomes adopted,
24 that we will have SAFEbuilt ramp up the
25 necessary personnel to be able to execute

1 upon the deliverables. The deliverables are
2 the inspections. So we have to provide this
3 in a very reasonable and timely manner. And
4 to do that, they are going to be the team
5 that we -- that we draw upon to do that. And
6 then there will be administrative oversight
7 of the execution of that. And I'll talk
8 about that in a little bit.

9 But as we were rolling through the
10 pandemic, it didn't make sense that we would
11 try to get this in place, because there were
12 issues of going into people's homes and
13 spreading the pandemic. So we just put it on
14 back burner, and recently reconstituted this
15 about, you know, six, eight months ago and
16 put together a team of department heads that
17 would be involved in this, including
18 SAFEbuilt, including law. The Law Director
19 was part of this, the police department, fire
20 department; all looking at this and trying to
21 figure out how each plays a part in this, and
22 then making sure that -- what it is that we
23 were attempting to achieve, which was, you
24 know, safer occupancies and a community
25 standard for the rental housing. And I think

1 that we did that without overreaching and
2 just hitting exactly what we wanted to do.

3 So the Law Director spent a considerable
4 amount of time looking at what other
5 communities did and making sure that the
6 legislation that we were crafting wasn't
7 going to put the City in a position where it
8 was creating undo liabilities to itself. And
9 Council Clerk Ben Young sat in on this as
10 well and helped us execute this document.

11 So I know there are going to be lots of
12 questions about it. And so I'm going to
13 start it off with answering the questions
14 that -- from Councilman Metheney, who had put
15 a couple questions to me over the weekend.
16 So -- and there will be some changes that I'm
17 going to recommend tonight based on what we
18 see in the draft.

19 But question one: When will the City
20 establish an online registration process?
21 Excellent question. This ties into the
22 software that is going to be necessary to run
23 this program. And that takes us back to, you
24 know, just a couple years ago when we looked
25 at this, you know, I can tell you that in

1 hindsight, you know, in 2018, the cart was
2 just before the horse. In 2013, the cart was
3 miles ahead of the horse.

4 So we are demo'ing software from various
5 vendors. We have some leading candidates for
6 that. And what we are looking for is a
7 program that is similar to what all of you
8 experience if you were going to set up an
9 account to look at your health savings
10 account, if you are going to do online
11 banking. You are going to create a user ID,
12 your own password. It's going to log you
13 into a cloud-based system. And you are going
14 to be able to apply online and you are going
15 to be able to track the progress of
16 everything online.

17 And certain things will automatically
18 happen once certain, you know, milestones are
19 achieved. So, for instance, you submit an
20 application. You should get an e-mail
21 saying, hey, we got your application. Thank
22 you for submitting it. We are reviewing it.
23 Once it's reviewed and completed and it's,
24 you know, thumbs up, another e-mail goes out
25 to the person saying, hey, your application

1 is completed properly. We are ready to
2 schedule the inspection. And then there is
3 some stuff that automatically happens to move
4 it along.

5 And the intent is to try to create this
6 in as much of a digital world as possible
7 without creating a lot of undue paperwork.
8 So the software that we are looking at does
9 allow that, and that's one of the things that
10 we like is that it's not us inputting the
11 information.

12 Now that's not to say someone comes up to
13 the counter at City Hall and says, hey, I
14 want to register. Someone can do it while
15 they are there giving them the information
16 for them, should they not be able to type or
17 not be savvy enough to go online and figure
18 it out. So we do have a mechanism for that.

19 Why eight units is the focus of this
20 legislation and not all rentals? If this is
21 due to City limitations and staffing for
22 inspections, I would prefer to see a
23 different number for this legislation.

24 My response to that is that we have to
25 crawl before we walk. And this has not been

1 done in the City. It's been created before.
2 It's been created from scratch. And I know
3 that there are going to be hurdles and
4 obstacles that we are going to have to
5 overcome as we implement this. So I'd like
6 us to get a year under our belt and figure
7 that out, and then come back to this body,
8 you know -- you know, set it up so that, you
9 know, annually or at least next year come
10 back and give a report on where we are and
11 what it means and were we able to handle it.

12 Now, I do suspect that at some point, you
13 know, there will be a lot of registrations
14 hit the City at once. And that will create a
15 lot of inspections. And so that also is the
16 benefit of having SAFEbuilt. Because they'll
17 be able to float people in here from some of
18 the other communities that they have on
19 contract for this surge. And once we digest
20 the surge, those folks can, you know, stay
21 focused in their own community, and we'll be
22 able to just go on with our regular ongoing
23 staff that we need.

24 Dave, if I'm not answering any of this
25 along the way, just --

1 MR. METHENEY: No. This is good.

2 MR. DEORIO: -- just follow-up.

3 MR. METHENEY: I may have follow-ups, but
4 I can send them out to you and get them in
5 next week.

6 MR. DEORIO: Okay. What are the plans to
7 identify rental owners not registered with
8 the county? So our plans will be to, you
9 know, consider all sources of information in
10 order to develop our own database of rental
11 owners. Certainly whatever we have at the
12 county will feed into that, but we also have
13 the utilities department. And then we will
14 put, you know, hopefully some interns on this
15 to kind of start working on it over the
16 summer to start building the database.

17 In addition, you know, we have files in
18 the building and permits department that
19 would suggest, you know, previous properties
20 are rentals. But this information has to be
21 current and up to date. You can't rely on
22 something that was three years ago. It might
23 not be a rental anymore. But it can
24 certainly give us an address that we can go
25 take a look at. And it's going to require a

1 lot of driving around and, you know, taking
2 inventory of -- of some of those. I have
3 been doing that myself and starting to
4 compile a list as we have been working on
5 this -- this plan, to kind of see how that
6 would work.

7 Will we allow a PO box for the owner
8 registration or is a physical address
9 required? A physical address is required for
10 the owner to register. And part of that has
11 to do with in the event that this spirals
12 into notifications having be -- to officially
13 go out legally, it's going to have to go to
14 the -- the owner's registered physical
15 address, not a PO box. So if we are sending
16 out stuff, you know, certified mail, that
17 isn't going to work going to a PO box.

18 Should we state that anything issued to
19 the agent is equivalent to issuing to the
20 rental owner? So in this case, the agent I
21 believe is referring to like a property
22 management agent. And is that the same as
23 issuing it to the rental owner?

24 And, Wayne, you can hit me on this one if
25 I don't get it right. But I think the answer

1 is that we have to issue to the rental owner.
2 They are the ones that are going to be in
3 violation, not the property management team.

4 MR. BOYER: I will agree with that with
5 one caveat, in that if the property owner
6 nominates an agent and says all
7 correspondences go through that agent, then
8 they have acquiesced that any sort of notice
9 under the statute can go through them. So as
10 long as we would send a courtesy copy to the
11 owner, notice to the agent would be
12 sufficient.

13 MR. DEORIO: Okay. So I think when we
14 were putting together the -- the -- when we
15 were looking at that software application,
16 there was, you know, these boxes to check.
17 And the software can be customized -- they
18 don't like to use that word -- configured to
19 whatever our particular needs are. So that
20 was another attractive feature of it, is
21 because our program is -- you know, every
22 program in every community is just a little
23 bit different, because it's -- you are trying
24 to tailor it to the needs of your community.
25 So we want to be able to tailor the software

1 to -- to our needs.

2 Question six: Two police violations.

3 Dave, you are going to have to help me with

4 it. I think maybe some words are

5 missing from the question. Two police

6 violations --

7 MR. METHENEY: Could be. So under the --

8 under the violations, it would revoke the

9 register -- the certificate to the owner, the

10 rental certificate. At that point, does it

11 become a non-rental unit legally and is the

12 owner going to have to evict their tenant?

13 And that gets into a multitude of issues and

14 problems saying that you no longer can count

15 this as a rental unit and you can't have a

16 tenant in here.

17 MR. DEORIO: When --

18 MR. METHENEY: That's where I was going.

19 MR. DEORIO: All right. That's where you

20 are looking at. And, I mean, I know there

21 are clauses and -- in leases for, you know,

22 moral turpitude and other types of criminal

23 activity that might be going on. Having

24 been, you know, nine years at the municipal

25 court as the chief financial officer and

1 helping to institute reforms there, you know,
2 I know the judges have instituted reforms of
3 their own to speed up the process for
4 evictions in the event that there is criminal
5 activity going on in a rental unit. So it's
6 not something that's unique to us.

7 Can it lead to eviction? It can. Or,
8 you know, in this case, it's the Title V, and
9 I think -- Chief Kemp is here if he wishes to
10 address some of the things in Title V. But
11 say, you know, one of those could be -- and
12 correct me if I'm wrong, Chief -- say a
13 domestic violence might be an issue. And if
14 we get multiple calls on that, because it's
15 in a building and the other tenants are
16 calling and saying, hey, it sounds like
17 somebody's head is being slammed up against
18 the wall --

19 MR. YOUNG: I think what Member Metheney
20 is getting at is if -- is there a point where
21 your certificate will be demoted to the point
22 where you have no certificate at all.

23 MR. METHENEY: Correct.

24 MR. YOUNG: Which the answer is no. So
25 you can -- as this is written, you can only

1 be demoted down to six months, and then you
2 are stuck at six months. And then you
3 just -- you keep getting a new certificate
4 every six months until the issue is resolved.

5 And, Wayne, correct me if I'm wrong here,
6 but when we were writing this, he had very
7 explicitly advised us that we can't deny the
8 property owner their economic right to have a
9 tenant.

10 MR. METHENEY: Okay. That's where I was
11 going with the question. Because to me, when
12 I read it through, it sounded like if there
13 were two calls, they would lose their
14 certificate, and then the owner would have to
15 remove that tenant before they could get a
16 certificate. So I must have read it wrong.

17 MR. DEORIO: The certificate is for a
18 certain period of time. And the worse that
19 your property is, the shorter your
20 certificate, eventually until you reach a
21 point that the -- the shortest certificate is
22 for six months.

23 MR. METHENEY: Because police calls --
24 and Chief Kemp can attest to this. Some of
25 those calls are for reasons that's not the

1 tenant's fault. There could be --

2 CHIEF KEMP: Member Metheney, we
3 had discussed that --

4 MR. STROIA: Go ahead.

5 CHIEF KEMP: -- when we had our meetings
6 over this. It was issues, as he said, Title
7 500, which is equivalent to the ORC codes in
8 the 2900 series. They are nuisance type
9 calls. They are domestic type situations.
10 It could be drug situations, things like
11 that, criminal in nature. And criminal in
12 nature does include disturbing the peace type
13 calls.

14 So those are the ones that we were
15 looking at. We are not just looking at
16 general disturbances, somebody parked too
17 close to my driveway or things like that.

18 MR. METHENEY: So I was looking along the
19 lines -- because I know this -- a case this
20 is occurring in -- not in North Canton --
21 where a restraining order is not being
22 followed, and multiple police calls have been
23 made to this residence because that person
24 was -- was getting too close. And it wasn't
25 the tenant of -- of that location. It was

1 somebody that was violating a restraining
2 order.

3 So I just want to make sure that we are
4 protecting those that deserve to be protected
5 and not penalizing rental owners or the
6 tenants when it's not their issue.

7 CHIEF KEMP: I believe they were looking
8 to the police department from our computer
9 system to be able to pull the information
10 out. So we would be able to expound a little
11 bit upon -- you know, if we have a half dozen
12 calls at a certain residence, we'd be able to
13 explain, okay, here are the calls. This is
14 the nature of these calls. Two of them are
15 the type of calls that we are looking at that
16 create the disturbances. The other four are
17 no fault.

18 MR. METHENEY: Okay.

19 CHIEF KEMP: And in your case, the
20 example you gave would be a no fault. You
21 can't control that your -- the person on the
22 opposite end of that restraining order keeps
23 showing up.

24 MR. METHENEY: Okay. Thank you.

25 CHIEF KEMP: That would be why somebody

1 like that would move to the community, to
2 rent in our community, is because the
3 response that they would get from us.

4 MR. METHENEY: Thank you.

5 MR. OSBORNE: Can we speak up so the
6 microphones will pick this up?

7 CHIEF KEMP: Is there something you
8 needed me to repeat, Mr. Osborne?

9 MR. OSBORNE: Just from here on out.

10 CHIEF KEMP: Okay.

11 MR. OSBORNE: This is not private
12 conversation.

13 CHIEF KEMP: Okay. I'm -- I'm not having
14 a private conversation. I talk soft.

15 MR. DEORIO: I can hear you fine. We can
16 hear you fine.

17 CHIEF KEMP: You can ask anybody, I talk
18 softly.

19 MS. WERREN: We are fine.

20 MR. DEORIO: We are not here for the
21 benefit of your camera. We are here for the
22 benefit of the people here.

23 MR. OSBORNE: I'm here --

24 MR. DEORIO: Period.

25 MR. OSBORNE: -- because --

1 MR. DEORIO: Period.

2 MR. OSBORNE: -- your audio does not pick
3 up the meeting --

4 MR. STROIA: Chuck, come on. Let's go.

5 MR. DEORIO: Enough.

6 MS. WERREN: Yeah.

7 MR. DEORIO: Out of order.

8 MR. STROIA: It's noted. Okay?

9 MR. OSBORNE: Well, do something about
10 it.

11 MR. STROIA: I think we have addressed
12 it. Thank you.

13 MR. DEORIO: All right. In 703.06(D),
14 how is the City going to get notice from a
15 bank of closing on a rental unit? So it
16 sounds like perhaps somebody is buying a
17 rental unit, and how are we going to get
18 notice from the bank. We are not going to
19 get from the bank, don't care to get notice
20 from the bank.

21 It's -- the burden falls on the owner of
22 the property who's buying it if they are
23 going to use it as a rental to then reach out
24 to the City and get registered under this
25 program.

1 I've got -- I'm not done. Dave looked
2 like he was maybe going to look something up.

3 MR. METHENEY: I was going to read D. It
4 says any entity foreclosing upon any property
5 licensed under this chapter must notify the
6 City of the foreclosure and taking the
7 property upon the final sale and conveying of
8 that said property. So to me, I read that as
9 the entity that's foreclosing being the
10 bank --

11 MR. DEORIO: Okay. You --

12 MR. METHENEY: -- notifying the City.

13 MR. DEORIO: You used a different word.
14 In your e-mail, you said "closing."

15 MR. METHENEY: Oh.

16 MR. DEORIO: And you are saying now
17 "Foreclosing."

18 MR. METHENEY: Yes.

19 MR. DEORIO: That's different.

20 MR. METHENEY: Yeah, I'm reading D. It
21 is foreclosing on the property.

22 MR. DEORIO: Yep. Wayne, you want to
23 respond to that at all?

24 MR. BOYER: I think it would just be the
25 same answer, is that any entity that's buying

1 the property, no matter what entity and which
2 manner in which the entity purchases the
3 property, under the statute still has to
4 reach out and notify us of the change of
5 ownership.

6 So even in the case of a foreclosure
7 action that goes through the court system,
8 the bank is on notice of this -- the
9 existence of this statute because it's
10 published, it's public record, and so the
11 bank would be responsible for reaching out
12 and letting us know of the change of
13 ownership.

14 We'd also be able to double-check all of
15 that against the auditor's records, you know,
16 once the sales have been finalized. We could
17 pull a report in relation to the ones we
18 know, and, you know, I guess spot-check them,
19 if necessary. But ultimately it would be on
20 the bank to -- to notify us in that
21 situation.

22 MR. DEORIO: All right. In 703.08(A),
23 will the finance department keep separate
24 ledger accounting of fees received and
25 charges for inspections to maintain this

1 rental ordinance? Desire would for this to
2 be not a burden on the general fund.

3 Jina, would you like to address that?

4 MS. ALABACK: Well, there would be a
5 separate account to account for the revenue
6 coming in. And we would balance that with
7 whatever software system that says -- of the
8 intake of whoever is registered, that -- that
9 would be our accounting. Yes, you would see
10 that on the monthly financials.

11 MR. DEORIO: And is that going into the
12 general fund or a separate?

13 MS. ALABACK: It would be general fund,
14 yes.

15 MR. METHENEY: Okay. Thank you.

16 MR. DEORIO: And, you know, as far as it
17 being a burden on the general fund, I think
18 that's one of the things that we are going to
19 intend to find out, is as we get this thing
20 up and running, how many properties are we
21 talking about, what kind of, you know, rental
22 registration fees is it generating, and, you
23 know, what the -- the amount of people are
24 that is necessary to make it work.

25 And it's similar to what I did when I got

1 here and looked at the Mayor's court analysis
2 of how much we are handling, how much it cost
3 to handle it, and then ultimately making a
4 recommendation that we -- we move that to the
5 municipal court where they could do a better
6 job and it would save the City some revenue.
7 So it's going to be something that you have
8 to look at and then decide on a policy level
9 if that's something you want to continue
10 with.

11 Who makes up the property review board?
12 The property review board is five
13 appointments by the Mayor that constitute
14 this review board. That is the same board
15 that deals with, you know, the property
16 maintenance review on -- on commercial
17 properties. And we thought it would just
18 make sense to tie that together as the same
19 group, not have another whole committee with
20 five new people. And the Mayor is in the
21 process of filling that. So I think he has
22 got three done, and two more to go on that.
23 And so I'm sure he'll fill you in when we get
24 to that.

25 You know, one of the questions that I

1 get, you know, from time to time is, well,
2 isn't your -- isn't the rules that you have
3 presently on the books enough to accomplish
4 what you are setting out to do. And the
5 answer is no. The mechanisms that we have
6 now will not provide an effect on the desired
7 outcome.

8 And I can look at the properties that we
9 are dealing with in -- just from the outside,
10 trying to administer through the process.
11 And with, you know, all due respect to, you
12 know, legal, there is a lot of legal stuff
13 that you have to do in order to eventually --
14 if you have to take it all the way to court,
15 it creates a tremendous amount of time. And,
16 ultimately, if somebody just ignores it all
17 the way through the end, it ties us up for,
18 you know, a year or two, and we still don't
19 have it done.

20 So there is just not enough leverage to
21 make it happen, and we think that this
22 experiment, if you want to call it that,
23 since we've never done it before, but it has
24 been done in other communities, with what
25 we've proposed, we think will work well and

1 give us the desired tools in order to effect
2 the change that Council is looking for.

3 Any questions other than from Member
4 Metheney? Go ahead.

5 MR. REVOLDT: Dave, any follow-up
6 questions?

7 MR. METHENEY: Not at this time. But
8 probably the next meeting I'll have a few.

9 MR. REVOLDT: Perfect. To my left, John,
10 any questions at this time?

11 MR. ORR: What other local communities
12 around? Maybe Louisville, Massillon. You
13 spoke of Alliance, Cleveland, and Akron
14 falling on their faces. But, you know,
15 what -- what local communities --

16 MR. DEORIO: Well, Canton is probably,
17 you know, the biggest in our county that does
18 a registration and licensing. Louisville
19 does a registration only. So they don't
20 provide a service.

21 MR. ORR: Okay.

22 MR. DEORIO: You just tell us that you
23 have a rental. And they charge -- I think
24 it's like \$25 or something like that. And
25 you just have that data.

1 The licensing, you know, from the stuff
2 that I have looked at, is where you get the
3 teeth -- I'll kind of scoot over so Dave's
4 head is not blocking you -- is the licensing.
5 And to do the registration without the
6 licensing really means that it's worthless.
7 It doesn't really do anything for you. You
8 can't effect any of the changes that you are
9 seeking to do --

10 MR. ORR: Right.

11 MR. DEORIO: -- without the licensing
12 part. And the licensing is the inspections.
13 And so, you know, the fire department looked
14 at this. You know, and fire can get into
15 certain size buildings by statute. They
16 already have that authority. But under a
17 certain size, they can't get in. They are
18 not allowed in. And this would give us the
19 ability to go in and make sure from a fire
20 standpoint that they are -- all the things
21 are up to the proper code from the fire
22 department standpoint.

23 MR. ORR: Do you have any estimates of
24 how many units there are in the City of eight
25 and less?

1 MR. DEORIO: I don't know for sure. But
2 what we did is we took -- you know, we kind
3 of looked at it from the fire department and
4 the police department standpoint of trying to
5 derive a number where we felt that most of
6 the activity was occurring or most of the
7 potential problems are going to occur and
8 drew that line at eight.

9 But it was something that was debated
10 for, you know, at least a whole afternoon,
11 and pulling up some data to try to figure out
12 where should we try to draw the line in this
13 first go-around. So we -- we had settled on
14 eight.

15 MR. ORR: Okay. I'm good.

16 MR. REVOLDT: Okay. Good. Stephanie?

17 MS. WERREN: I'm good.

18 MR. REVOLDT: Christine?

19 MS. WEYRICK: I met with Ben this morning
20 and looked over everything, so I feel good.

21 MR. REVOLDT: Mr. McCleaster, you've
22 already taken a bite at this apple.

23 MR. MCCLEASTER: I have. And I do have
24 one other question that -- I just wanted to
25 touch base on 703.06, which Member Metheney

1 had already brought up a question there. And
2 I'm looking at "A," in the event of a new
3 rental unit not previously certified for
4 occupancy, application shall be made at least
5 90 days prior to occupation of unit or
6 building by a tenant. And I think I was just
7 kind of curious why the 90 days. It seems a
8 little long for me, but I understand we need
9 a certain length of time to get vamped up.

10 MR. DEORIO: My recollection on this
11 particular provision could use a refresher,
12 but in talking with Member McCleaster about
13 it earlier, one of the situations that was
14 presented was let's say somebody takes a
15 house that became available. Their parents
16 lived in it. Parents moved to a nursing
17 home, assisted living facility. The children
18 want to keep the house, but turn it into a
19 rental.

20 MR. MCCLEASTER: Uh-huh.

21 MR. DEORIO: And to the effect -- to the
22 circumstances that they are not aware of this
23 legislation, and they go out and put it up
24 for rent and get somebody to move in or they
25 know somebody that they found that would be

1 perfect, that they could slide them in right
2 away, wouldn't even have to do any upgrades
3 to the home or whatever.

4 So maybe in this instance, 90 days might
5 become a burden in the sense that they might
6 not be able to get someone in and paying rent
7 right away. So that could be one issue that
8 needs to be addressed.

9 In the event that say where someone is
10 going to sell the house that's not a family
11 member that's -- you know, the family -- the
12 same scenario, the family wants to sell the
13 house, not turn it into a rental, and then
14 someone else buys it, and they want to turn
15 it into a rental. At some point, then that
16 follows the other part of this that, hey, if
17 you are going to turn it into a rental, you
18 have the responsibility to tell us.

19 If you are in the business of doing
20 rentals, chances are, you probably are aware
21 of this legislation or this requirement. But
22 for somebody that has never done any rentals
23 and has that particular circumstance, we may
24 have to figure out a way to address it.

25 Ben or Wayne, do you want to add

1 anything?

2 MR. BOYER: Yeah, I'll chime in. Part of
3 the reason that we built in that lead time
4 was for -- to Patrick's point, was to give
5 enough time to have the inspections, give
6 enough time to set up the inspection process.
7 Because the way we saw it, this statute, it
8 protects both sides; it protects the landlord
9 and the tenant here.

10 So to Patrick's point, with an individual
11 who has never done it before and isn't aware
12 of the requirements, it's a checklist of
13 sorts for them to go through and have a
14 chance to remedy certain situations in the
15 event that the first inspection they don't
16 quite meet, you know, particular standards.

17 And at the end of the day, once the
18 certificate is issued, they have something to
19 rely on with their tenant, saying, look, I
20 complied with the statute, the inspections
21 are fine, everything is there. So that if
22 the tenant comes back later, you have the
23 situation where the landlord can point to the
24 fact that, hey, at the time that you took
25 possession of the property, all these things

1 were in good working order.

2 And the same side of things on the
3 tenant's perspective of, you know, they'll
4 have access to some of these records as well.
5 And they'll know that the landlord is being
6 held to a certain standard, as far as what
7 they have to provide in -- in the service,
8 what parts of the inspection that they have
9 to set up.

10 So, really, it was set up as 90 days.
11 And I think that number can be massaged, if
12 need be, if Council agrees that -- that that
13 can be shortened. But the idea was to build in
14 as much lead time as possible to make sure
15 that anybody that is new to the process can
16 meet the requirements of the process before a
17 tenant moves in.

18 MR. MCCLEASTER: Okay. And I can
19 appreciate that. And I think our
20 conversation earlier went, you know,
21 similarly, that, you know, I -- I appreciate,
22 you know, the value as a tenant of receiving
23 the certification or seeing that they are
24 certified. I was just concerned that the 90
25 days might seem a little bit prohibitively