

ROLL CALL: All Council Members Present

MOTION TO EXCUSE MEMBERS: Not necessary

INVOCATION: Pastor David Morgan

PLEDGE OF ALLEGIANCE: Led by President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#7; O#6 Retained in Committee)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Dan Coen is in support of the IPMC but still remains against Amendment B. He feels the Council Members that voted for this did a huge disservice to the citizens of Canton because this amendment was a mistake. All the negotiations with the landlords were done in good faith and now they can never be sure in the future that good faith will be used. He has recalculated the figures since he spoke last week and feels his fees will increase by 400% not the 200% originally discussed. Mr. Coen states the Council people did not do their homework on this and he is very disappointed by the vote. David DeChiara thanking Council for adding the interior inspections but feels the properties in Canton will continue to deteriorate. As a good landlord, he does not need Canton to tell him how to care for a home on the interior or exterior. His properties meet or exceed all codes that Canton has in place. Mr. DeChiara feels that many times the landlords are the victims because the tenants are behind on rent, they trash the establishments and still treat the landlord poorly. He has purchased his last home in Canton and would be happy to sell the properties he already owns within the city. He encourages the Mayor to veto the IPMC as amended. David Kirven spoke on behalf of Ordinance 1 for the licensing of contractors that work in the city. He would like the Canton Construction Board to help oversee the licensed contractors within the city. He feels that all persons providing plumbing, electrical, concrete, etc. type of services to our citizens should have a verifiable license and be qualified to do good work for the residents.

INFORMAL RESOLUTIONS:

60. COUNCIL-AS-A-WHOLE: AMENDING COUNCIL RULE #22. - ADOPTED

COMMUNICATIONS:

478. _____ AUDITOR MALLONN: CERTIFICATE OF TOTAL AMT FROM ALL SOURCES FOR 2010. - RECEIVED & FILED
479. COMMUNITY DEV DIRECTOR WILLIAMS: ESTABLISH FAIR REUSE VALUE OF REAL PROPERTY & AUTHORIZE DISPOSITION OF SAID PROPERTY (LABORER'S INTERNATL UNION OF N AMERICA - PARCEL #02-20767 ON 2ND ST NW). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
480. COMMUNITY DEV DIRECTOR WILLIAMS: ESTABLISH FAIR REUSE VALUE OF REAL PROPERTY & AUTHORIZE DISPOSITION OF SAID PROPERTY (LABORER'S INTERNATL UNION OF N AMERICA - PARCEL #02-14421 ON 2ND ST NW). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
481. COMMUNITY DEV DIRECTOR WILLIAMS: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/GOODWILL INDUSTRIES OF GREATER CLEVELAND & EAST CENTRAL OHIO, INC. TO PROVIDE ECONOMIC DEVELOPMENT GRANT IN AMT NOT TO EXCEED \$50,000.00 FOR COMMUNITY CAMPUS PROJ PHASE II, RETROACTIVE FROM 1/1/10 TO 12/31/10. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
482. LIQUOR CONTROL DIVISION (OHIO): TRANSFER OF D5 LIQ PERMIT FOR MJB ENTERTAINMENT LLC DBA SHIELD TAVERN 1ST FL & BSMT @ 1153 MCKINLEY AVE SW. - RECEIVED & FILED
483. SERVICE DIRECTOR PRICE: REQ MODIFICATIONS TO CHAP 943.01 AND 943.37 OF OHIO ADMINISTRATIVE CODE TO INCLUDE MINOR SEWER USE REVISIONS TO WATER RECLAMATION FACILITY. - JUDICIARY COMMITTEE
484. SERVICE DIRECTOR PRICE: REQ 2ND AMENDMENT TO DRAFT ORDINANCE REGARDING COOPERATIVE AGMT W/J R COLEMAN COMMUNITY RENOVATION CORP FOR IMPLEMENTING MAHONING RD ECONOMIC DEVELOPMENT & STREETScape PROJ; AUTHORIZE SERV DIR TO TRANSFER \$34,085.00 FROM 4506 201001 SERV DIR - OTHER TO 4506 202079 MAHONING RD PROJ - OTHER FOR ADDT'L ENVIRONMENTAL WORK REQUIRED BY ODOT. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
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485. _____ STARK COUNTY BOARD OF ELECTIONS: CERTIFICATE OF RESULT OF ELECTION, RENEWAL OF JOINT RECREATIONAL BOARD LEVY. - RECEIVED & FILED
486. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 11/30/10. - RECEIVED & FILED
487. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS & OUTSTANDING INVESTMENTS AS OF 11/30/10. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND CHAPTERS 1313, 1315 AND 1317 OF TITLE THREE - LICENSING CONTRACTORS, OF PART THIRTEEN - BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
Referred to Judiciary Committee
- 1ST RDG 2. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMTS NOT TO EXCEED \$2,750.00 TO HEPA; \$4,500.00 TO COTTRILL WRECKING; \$2,830.00 & \$4,710.00 TO CRS GENERAL CONTRACTING AND \$1,400.00 TO ESLICH WRECKING; EMERGENCY
Referred to Finance and Community & Economic Development Committees
- 1ST RDG 3. COMMITTING 2011 APPROPS FOR MAINTENANCE AGMTS FOR THE CANCOM SYSTEM; EMERGENCY
Referred to Finance Committee
- 1ST RDG 4. AUTHORIZE SERV DIR IN COOPERATION W/PARKS BOARD & DIR OF CANTON CITY PARKS, TO MAKE APPLICATION FOR, EXECUTE GRANT AGMTS & ACCEPT FUNDS FROM THE NATURE WORKS, LAND & WATER CONSERVATION FUND, CLEAN OHIO TRAILS FUND AND OTHER POTENTIAL FUNDING SOURCES FOR PURPOSE OF DESIGNING & CONSTRUCTION OF THE MCKINLEY PARK REHABILITATION AND SITE IMPROVEMENT PROJ; EMERGENCY
Referred to Finance and Parks & Recreation Committees
- 1ST RDG 5. ADOPTING APPROPS FOR OPERATING & CAPITAL EXPENDITURES OF THE CITY OF CANTON FOR FISCAL YR 2011; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#7; O#6 RETAINED IN COMMITTEE)****RETAINED**

- IN CMTE** 6. RESOLUTION APPROVING RECOMMENDATIONS OF THE FACT-FINDER'S RPT, DATED 12/1/10, CONCERNING SETTLEMENT OF CONTRACTUAL DISPUTES BETWEEN CITY & CPFFA LOCAL 249
(FIN & PER)
- 2ND RDG 7. AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/AT&T CORP FOR A SIXTY MONTH PERIOD TO PROVIDE PHONE CARRIER SVCS TO CITY; EMERGENCY
(FIN & E&PU)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE:

- 242/2010** 8. AMEND APPROP O#1/2010, AS AMENDED, BY MAKING \$174,952.78 SUPP APPROP TO 2529 506001 NEW HORIZONS PARK FUND - OTHER; EMERGENCY
- 243/2010** 9. AUTHORIZE THE MAYOR &/OR SERV DIR TO EXECUTE AGMTS W/SARTA, ODOT, AND FEDERAL TRANSIT ADMIN (FTA); TO SEEK CONSULTING & ENGINEERING CONTRACTS AS NEEDED FOR SARTA'S "MAHONING ROAD ROUTE" IMPLEMENTATION IMPROVEMENTS; TO APPLY FOR, ENTER INTO AGMT FOR AND REC VARIOUS OTHER GRANTS; EMERGENCY

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, DECEMBER 20, 2010 in Council Chamber at 6:00 P.M.**

- 1) Finance Committee
- 2) Community and Economic Development Committee
- 3) Judiciary Committee
- 4) Parks and Recreation Committee

MISCELLANEOUS BUSINESS: Mayor Healy pursuant to Rule 43 vetos the IPMC because of Amendment B. He feels the documentation was not studied or verified with a cost analysis and the impact on the budget with these fees will be detrimental. The language of the amendment was also unclear and confusing and he feels this could effect some landlords up to 700% in the fees. He submitted all of the veto reasons in writing to Council for review and he would like Members of Council to reconsider the IPMC with other alternatives for fees as well as the interior and exterior inspections. He would still like some form of the IPMC to be put on to the books. Mayor Healy would like to extend the availability of his staff including the Chief Building Official to all Council Members to discuss changes to the IPMC. He asked Law Director Martuccio if Council could amend this Ordinance if they chose to reconsider it or do they have to vote on the same one. President Schulman asks Law Director Martuccio to explain what happens next in this veto situation. He also asked if Council would be reconsidering the original Ordinance or the amended Ordinance. President Schulman also provided information for the first Water Commission meeting which will be in his office on Thursday, December 12th at 4:00 PM. Member West wants to know which IPMC is currently in effect. Law Director Martuccio says since Canton is a statutory city the Ohio Revised Code 731.27 states that the Mayor can veto any Ordinance. After a 10 day period of the veto, Council can reconsider this Ordinance again. There must be 7 votes in favor of a reconsideration and then 8 votes to override the veto. If neither of these happen by Council, the city must go back to the table quickly to get some type of IPMC on the books because as of 1/1/11 Canton will be in violation with the State of Ohio. The administration and Council should both begin to put together ideas of what they think is necessary to make the IPMC fair to both sides. There is not an IPMC in effect right now. Member Dougherty wonders if Council could have an amendment to clear Amendment B and just have the original Ordinance with Amendment A. Member Cirelli states some people are paying extra on their water bill for having a garbage disposal. She would like to know who decided this and when it went into effect. She also stated that the meeting regarding Hydrofracturing with Kurt Schuring has been cancelled until after the first of the year. Angela Cavanaugh told all of Council that the Water Department had requested the Code inspectors check on all establishments that serve food to see if there were garbage disposals or not. There is an Ordinance which exists that imposes a fee if the disposal exists so that is why some of the bills have been increased. If anyone is being billed in error they should contact the Water Department for correction. Member West stating that he was paying an additional fee for the disposal but has had it removed. He was also questioning Safety Director regarding the number of State Troopers that have been out in the area of 12th Street, down to Mahoning and O'Jays Blvd. Is there some operation going on? Safety Director Ream stated that the intersections of 12th Street and Market Avenue has been identified

as the #1 intersection in Stark County for accidents so the patrols have increased. Member Smith asked all Members of Council and audience to keep Miss Ruby Brogdon in their prayers. She has been in the hospital after having some minor surgery but will require major surgery after the holidays. Member Butterworth appreciates the information to begin reviewing the budget. He hopes that all Members of Council will read through it and be prepared with questions for next week. He is aware that the figures are moving targets but feels that all Department Heads should be prepared to make some adjustments.

ADJOURNMENT: 8:22 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, DECEMBER 20, 2010 @ 7:30 PM