

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, TUESDAY, JANUARY 20, 2015**

ACTING COUNCIL PRESIDENT MANSON – Welcome to the Massillon City Council Meeting for Tuesday, January 20, 2015. We have in attendance with us tonight the following city officials: Mayor Kathy Catazaro-Perry, Engineer, Keith Dylewski, Safety Services Director, Al Hennon, and Law Director, Perry Stergios. On the wall to your left are agendas for anyone who wishes to follow tonight’s meeting. Also if you look at the agenda, under item #5 is where the public can speak on any item that appears on tonight’s agenda and then under item #17 is where the public can speak on any item that does NOT appear on tonight’s agenda. I want remind anyone with cell phones, please turn them down or set them to vibrate.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Milan Chovan, Sarita Cunningham-Hedderly, Michelle Del Rio-Keller, Nancy Halter, Ed Lewis, Paul Manson, Andrea Scassa, Megan Starrett and Shaddrick Stinson.

Roll call of 9 present; Council President Tony Townsend absent.

ACTING COUNCIL PRESIDENT MANSON – Thank you. Could I have a motion to excuse Council President Townsend?

COUNCILMAN STINSON – I make a motion.

ACTING COUNCIL PRESIDENT MANSON – Seconded by Councilwoman Sarita Cunningham-Hedderly. Roll call to excuse Council President Townsend.

9 yes to excuse Council President Townsend

ACTING COUNCIL PRESIDENT MANSON – Thank you. Tonight’s invocation will be given by Mr. Stinson.

2. INVOCATION

COUNCILMAN SHADDRICK STINSON - Gave the invocation for tonight.

3. PLEDGE OF ALLEGIANCE

COUNCILMAN STINSON – Chairperson of the Health, Welfare and Building Regulations Committee led those in attendance in the Pledge of Allegiance.

4. READING OF THE JOURNAL

ACTING COUNCIL PRESIDENT MANSON – Madam Clerk, are the minutes of the previous meeting transcribed and open for public viewing?

COUNCIL CLERK ROLLAND – Yes, they are.

ACTING COUNCIL PRESIDENT MANSON – Are there any additions or corrections to be made?

COUNCIL CLERK ROLLAND – No, there are not.

ACTING COUNCIL PRESIDENT MANSON – The minutes stand approved as written.

5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA

ACTING COUNCIL PRESIDENT MANSON – We have reached #5. This is the part of the agenda where citizens may speak on a topic that appears on tonight's agenda. If you would like to come forward to the microphone and comment, please come forward at this time. Give your name and address please.

FOSTER ROSE II – I live at 1041 State Ave. N.E. here in Massillon. I'm also the Vice-President of the Massillon Area Greenways, Inc. I am here in support of all MAGI members and Massillon transferring the Sippo Valley Trail to the Stark County Parks District. It'd be a great benefit for both the city and western Stark County and all citizens. It would be a great financial benefit for the Massillon Parks and Rec Dept. would no longer have to maintain the trail, manpower and equipment out there as Stark Parks has manpower and equipment and the money to upgrade and maintain a trail very well. It would also bring lots of people into downtown Massillon to patronize the businesses and bring some money into downtown Massillon. That's pretty much what I have to say. I hope you vote on passing that, please. Thank you.

ACTING COUNCIL PRESIDENT MANSON – Thank you. Is there anybody else that would like to come and comment on anything that's on tonight's agenda? Seeing no one else, we'll move into the Introduction of Ordinances. Ordinance No. 5.

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 5 – 2014

BY: PARKS & RECREATION COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a Trailway Easement Agreement on behalf of the City of Massillon, as Grantor, with the Stark County Park District, an Ohio Political Subdivision, in Canton, Ohio, as Grantee, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Thank you. Councilwoman Del Rio-Keller.

COUNCILWOMAN DEL RIO-KELLER – Thank you, Mr. President. I'm just going to give this first reading.

ACTING COUNCIL PRESIDENT MANSON – Okay. Ordinance No. 5 has received first reading. Ordinance No. 6.

ORDINANCE NO. 6 – 2014

BY: STREETS, HIGHWAYS & TRAFFIC COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Participatory Legislation with the Ohio Dept. of Transportation (ODOT), for SR 236 Resurfacing Project, PID 94125, for the year ending December 31, 2015, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Councilwoman Halter.

COUNCILWOMAN HALTER – Thank you, Mr. President. First reading.

ACTING COUNCIL PRESIDENT MANSON – Okay, Ordinance No. 6 is first reading.

Ordinance No. 7.

ORDINANCE NO. 7 – 2015
COMMITTEE

BY: STREETS, HIGHWAYS & TRAFFIC

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to apply for 2015 Municipal Road Funds through Stark County for the year ending December 31, 2015, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Councilwoman Halter.

COUNCILWOMAN HALTER – Thank you, Mr. President. I would like to ask the City Engineer to come to the microphone, please.

ACTING COUNCIL PRESIDENT MANSON – Mr. Dylewski.

KEITH DYLEWSKI – Mr. President, Council, Ms. Halter.

COUNCILWOMAN HALTER – Keith, I talked to you today about this and I'd like to you explain to Council. We've had some discussion from some citizens about using the \$180,000 instead of using it for the intersection improvements to use it for pothole repair and I wondered if we could use this money for that?

KEITH DYLEWSKI – Well, the money can only be used on county purpose roads because that's the intent of the program through Stark County, so, it was only a few select roads within the city that these funds can be used for. Anyway, this is something that we apply for on a yearly basis for projects to do a resurfacing type project. You know, we knew this project was coming up doing the intersection improvements at Southway and Richville, and so the intent was to get some paving done on Southway while they'd be out there working.

COUNCILWOMAN HALTER – Okay. Anybody else?

ACTING COUNCIL PRESIDENT MANSON – Yes, Mr. Chovan.

COUNCILMAN CHOVAN – Yes, thank you. Also for the engineer; I understand that the money can just be used for certain designated roads, but when I looked at the map today, other roads that could be used are 17th St. N.W. and S.W., Main Ave., Tremont Ave., 3rd St. S.E., Walnut Rd. from Rt. 21 clear up to the intersection of Southway and Richville. I'm wondering how far ahead do you have to apply for money that we could use to maybe resurface those roads?

KEITH DYLEWSKI – Well, it's on a yearly basis that the funds are available, so we apply for it yearly. For the 17th St. project, if you recall, we applied OPWC for that. We haven't heard back on the status of that and then for Main, we have a funding application into SCATS to do that project and it's looking like the funds should be available for that in 2019 FY.

COUNCILMAN CHOVAN – 2019 FY?

KEITH DYLEWSKI – Correct.

COUNCILMAN CHOVAN – That road won't even be there by 2019. I mean, I drove all of these today when I saw where the roads were and there...I mean are there any other municipal road funds that would be available maybe to take a look at some of these later this year or is this pretty much all we're going to get for that?

KEITH DYLEWSKI – Well, typically, the allocation we get is between \$150,000 to \$160,000, give or take a year from the county. So, that's kind of the scale of project that we'll be able to do. If you recall, I think, the year before we did Lake St. with that money between Wales and Amherst. So that's kind of gives you a good idea of distance-wise of how far that gets stretched, so.

COUNCILMAN CHOVAN – Well, I mean that intersection at Southway and Richville definitely needs that bend taken out of it. I just want to make sure if there's other monies that are available that these roads are eligible to be fixed with that money if we can find some more somewhere.

KEITH DYLEWSKI – Yeah, I mean, absolutely. Like I said though, that's the allocation that we get on a yearly basis, so obviously we'd like to do more on those other streets that you mentioned that we did have applied for funding for, so we're just waiting to hear back.

COUNCILMAN CHOVAN – Okay, thank you.

ACTING COUNCIL PRESIDENT MANSON – Is there anyone else that has any questions?

COUNCILWOMAN HALTER – Thank you.

KEITH DYLEWSKI – Sure.

ACTING COUNCIL PRESIDENT MANSON – Ms. Halter?

COUNCILWOMAN HALTER – First reading.

ACTION COUNCIL PRESIDENT MANSON – First reading. Ordinance No. 7 has received first reading. Ordinance No. 8.

ORDINANCE NO. 8 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1414 Collection System Improvement Fund and the 1212 Summer Concert Fund for the year ending December 31, 2015, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Mr. Lewis.

COUNCILMAN LEWIS – Yes, this particular ordinance has two (2) pieces for immediate review. I guess the first thing I want to note is that in reviewing the ordinance, I did notice that Section 2 was mentioned twice. I would assume that is a typographical error and our Clerk definitely will attend to that. The first piece I want to look at is the appropriation for \$103,000 from the unappropriated balance of the Collection System Improvement Fund to go towards the Levee Infrastructure Project. This is basically just a carry-over from last year into this year, transferring the monies from one budget cycle to the next. The other piece of this is the Summer Concert Series as we will note, the Summer Concert Series is being donated. The funds for this is being donated to the city through local businesses and we're simply appropriating \$6,000 to the Summer Concert Supplies and \$30,000 to the Summer Concert Series. Are there any questions? Seeing none, I make a motion that we suspend the rules requiring three (3) readings, bringing Ordinance No. 8 – 2015 forward for a vote.

ACTING COUNCIL PRESIDENT MANSON – Seconded by Ms. Scassa. Roll call for suspension.

9 yes for suspension

ACTING COUNCIL PRESIDENT MANSON – And for passage.

9 yes for passage

ACTING COUNCIL PRESIDENT MANSON – Ordinance No. 8 – 2015 has passed.

7. **UNFINISHED BUSINESS**

8. **PETITIONS & GENERAL COMMUNICATIONS**

1. LETTER FROM DEPT. OF COMMERCE, DIVISION OF LIQUOR CONTROL

REGARDING THE TRANSFER OF LIQUOR LICENSE FROM LOS CACHORROS INC DBA MARGARITAS MEXICAN GRILL & CANTINA, 1ST LF & PATIO, 45 – 1ST ST NW, MASSILLON, OHIO 44647 TO MASCOTAS LLC, DBA MARGARITAS MEXICAN GRILL & CANTINA, 1ST FL & PATIO, 45 – 1ST ST NW, MASSILLON, OHIO 44647

1. LETTER FROM DEPT OF COMMERCE, DIVISION OF LIQUOR CONTROL REGARDING A NEW LIQUOR LICENSE FOR THE SANGRIA STAND, LLC, 39 LINCOLN WAY E, MASSILLON, OHIO, 44646

ACTING COUNCIL PRESIDENT MANSON – Are those all in Ward 2? Ms. Halter do you have letters on all communications?

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COUNCILWOMAN HALTER – Yes I do.

ACTING COUNCIL PRESIDENT MANSON – Moving on. Do we have any bills?

9. BILLS, ACCOUNTS & CLAIMS

1. WALTER H. DRANE CO. - \$390.00 – HOSTING CODE – INTERNET – 1/1/15-12/31/15

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ACTING COUNCIL PRESIDENT MANSON – Mr. Lewis.

COUNCILMAN LEWIS – Yes, I make a motion that we pay the bills.

COUNCIL PRESIDENT TOWNSEND – Seconded by Councilwoman Del Rio-Keller. Roll

ACTING COUNCIL PRESIDENT MANSON – Vote for passage to pay the bills.

9 yes to pay the bills

ACTING COUNCIL PRESIDENT MANSON – Okay, moving on to #10. Anybody has any reports that they would like to make? Mr. Lewis is there anything that you would like to comment on as far as the meeting this afternoon?

10. REPORTS FROM CITY OFFICIALS

1. TREASURER'S REPORT FOR DECEMBER 2014
2. TREASURER'S ANNUAL REPORT FOR 2014

COUNCILMAN LEWIS – Yes. This afternoon we did have the meeting for the Fiscal Commission. It went very well, it was quick; quick, by standards of that meeting is concerned. The only thing I think is relevant to my part as the Finance Chair is that all the numbers were confirmed by the State Auditor's office that we do have approximately a \$785,000 carry-over. As we are all aware of, approximately \$400,000 of that will be allowed to be used as a one-time payment for the 27th pay that 2015 has. It's a unique thing that only happens about every 10 years. But overall, everything looked very good. We did get a report of what's still needs to be done to come out of fiscal emergency, but most of it was, as they described it, very standard things and a lot of policy things. Some of the policies, the Mayor has already began working on, so that's very encouraging that we are on the right path as a city to coming out of that. So, they seemed very encouraged and very congratulatory towards the city for making the right

steps to move forward. That's all I can really probably say from the finance prospective.

ACTING COUNCIL PRESIDENT MANSON – While we're at though, let's just get a couple of dates. And since the Mayor's here, I don't know if you want to say anything or not, but I wanted to get clear on these dates. You said you would probably get something the week of February 4th, I believe as far as getting some kind of proposal together to present to Council?

MAYOR CATAZARO-PERRY – No.

ACTING COUNCIL PRESIDENT MANSON – I'm sorry.

MAYOR CATAZARO-PERRY – Ken and I met with the two Auditors of State employees, Laura and Steve. And what we talked about was, and I shared this today, from November to the end of December, I truly worked on a 20 yr. vehicle rotation plan. And that has been missing from the city for years. And that piece is very important to go along with the plan and so that is now pretty much done and has been submitted to the Auditor and we still need to tweak it just a little bit, but for the most part, it is complete. Laura and Steve will be working this week with our school district to run their numbers. Next week, they're going to be cleaning up our numbers because they had to utilize numbers that weren't actual, so, just budgeted numbers for about half the year last year. So, they're going to be fixing our numbers so that placing in the actual numbers from 2014. Then Ken and I will meet with them again on February 4th and we're going to talk about different scenarios that we could put into place. I will share with you that this year, we're projecting to be in the black at the end of the year. But the next year, now you have to remember, the FEMA grant rolls off in October. So, if we don't get that FEMA grant, we're right back to where we were and so, now we have to put forth the full plan and we want to do it for long term so it's not just a band aid. So, and it's going to need to have the vehicle replacement to go with it, because if that piece is missing, as you know, last week four (4) plows broke down all on the same day. And we need cruisers and we're going to need ambulances and we're going to need trucks for our street department and street department trucks are very expensive. And so the rotation, though, needs to be there so that we don't end up in the same position again and so that piece is what I wanted to really focus on at the end of the year. And I also shared with the Commission today that we were in crisis management for three (3) years. And now it's such a great feeling that now we're able to manage and so that's something that I think we all can be proud of. So, the answer is, we're meeting with them again February 4th and then it's probably going to be a week or two before we are set on something that we can bring to Council, but I did share with the Commission today that there's opportunities to have special meetings if we should need to. But it's something I think we have to guarantee our residents is that we'll come to some type of agreement of how the City's going to go forward and what we all can support. Okay.

ACTING COUNCIL PRESIDENT MANSON – Okay, thank you. We do have a date of March 19th that we have to actually have it to the Commission by March 19th for their approval. It does have to be approved by that day, but it has to be to them that day for their approval so, depending on when we get it in February how late in the month, may dictate have many meetings we may or may not have to have. Yes, Mr. Lewis.

COUNCILMAN LEWIS – I wanted to also add while we're on the topic that the next meeting of the Commission is March 24th at 1:30 p.m. at the Chamber if anybody else wants to attend.

ACTING COUNCILMAN PRESIDENT MANSON – Right, and they've decided to wait until after they saw what the proposal was on the 19th. I kind of went out of order there, that really should have been #11, Reports of Committees. So, since we're past that, we'll go to reports of city officials. We have the Treasurer's Report for December 2014. Well, Clerk, what do we have?

COUNCIL CLERK ROLLAND – Yes, they were given copies of the Treasurer's Report for December 2014 and the Treasurer's Annual Report for 2014. Those copies were distributed.

ACTING COUNCIL PRESIDENT MANSON – Do we have to accept those?

COUNCIL CLERK ROLLAND – No. Just the Auditor’s Report is the only one we have to vote on.

ACTING COUNCIL PRESIDENT MANSON – Okay, thank you. Any other reports of committees?

11. REPORTS OF COMMITTEES

12. RESOLUTIONS & REQUESTS OF COUNCIL MEMBERS

13. CALL OF CALENDAR

14. THIRD READING OF ORDINANCES & RESOLUTIONS

15. SECOND READING OF ORDINANCES AND RESOLUTIONS

16. NEW & MISCELLANEOUS BUSINESS

17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA

ACTING COUNCIL PRESIDENT MANSON – Okay, we have arrived at No. 17. This is the section of the agenda for anyone who would like to speak on a topic that did NOT appear on tonight’s agenda. If you’d like to speak on something, please come to the microphone at this time and give your name and address and the topic you’d wish to discuss.

PAUL SCHOENFELD – I live at 227 – 2nd St. N.E., near the a big empty building that’s the back corner of my lot and the roof is falling in on the darn thing or part of it has and was just wondering when they’re going to do anything with it and if they are going to do anything with it? Because it’s danger to the neighborhood, it really is.

ACTING COUNCIL PRESIDENT MANSON – Is there anybody that wishes to comment as far as the...Safety Service Director or the Councilperson in that area? Mr. Hennon.

AL HENNON – I can comment on that.

ACTING COUNCIL PRESIDENT MANSON – Sure, come on up to the microphone please.

PAUL SCHOENFELD – Thank you.

ACTING COUNCIL PRESIDENT MANSON – Thank you.

AL HENNON – Alright, as you all saw, fire and myself responded to that collapse. We have been to the point now where the owner has a letter from Code Enforcement and myself. The owner has negotiated with and obtained a construction manager and is in the process of taking care of that building. Our Code Enforcement has been there several times. We will continue to keep an eye on it and hold his feet to the fire and get the thing done. But that’s as much as I know right now.

ACTING COUNCIL PRESIDENT MANSON – Is there anybody else that has any questions or comments on that? Thank you, Mr. Hennon.

AL HENNON – You’re welcome.

ACTING COUNCIL PRESIDENT MANSON – Is there anybody else that has any remarks to anything that’s not on the agenda; please come to the microphone? Seeing none, Mr. Stinson.

18. ADJOURNMENT

COUNCILMAN STINSON – I motion that we adjourn.

ACTING COUNCIL PRESIDENT MANSON – Seconded by Councilwoman Scassa.

DIANE ROLLAND, CLERK OF COUNCIL

PAUL MANSON, ACTING PRESIDENT



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