

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, MARCH 16, 2015**

COUNCIL PRESIDENT TOWNSEND – Welcome to the Massillon City Council Meeting for Monday, March 16, 2015. We have in attendance with us the following city officials: Income Tax Administration, Ken Koher, Community Development Director, Larry Marcus, Parks and Recreation Director, Doug Nist, Mayor Kathy Catazaro-Perry, Police Chief, Keith Moser 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 Shadrick Stinson.

Roll call of 9 present

COUNCIL PRESIDENT TOWNSEND – Thank you, Madam Clerk. I would like to recognize Councilwoman Nancy Halter for tonight’s invocation and pledge of allegiance.

2. INVOCATION

COUNCILWOMAN NANCY HALTER - Gave the invocation for tonight.

3. PLEDGE OF ALLEGIANCE

COUNCILWOMAN NANCY HALTER – Chairperson of the Streets, Highways, Traffic and Safety Committee led those in attendance in the Pledge of Allegiance.

4. READING OF THE JOURNAL

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

COUNCIL CLERK ROLLAND – Yes, they are.

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

COUNCIL CLERK ROLLAND – No, there are not.

COUNCIL PRESIDENT TOWNSEND – If not, then the minutes stand approved.

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

COUNCIL PRESIDENT TOWNSEND – We have arrived at #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 for the record and the topic you want to discuss. Seeing no one, will move into Introduction of ordinances and resolutions.

6. **INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 30 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1205 Safety Forces Improvement Fund, for the year ending December 31, 2015, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Yes, this is the ordinance that we've referenced a couple of times now. If you'll remember at the last Council meeting we actually had to remove it from the agenda and have it discussed at our last Work Session. It is coming from the Municipal Court. They are simply appropriating money out of the Safety Enforcement Improvement Fund and making it available for expenditures. In the past, they have purchased weapons for the Police Dept., they have just done various projects that are able to be low dollar amount but high impact for our local safety forces. Is there any discussion this evening? Seeing none, I would make a motion that we suspend the rules requiring three (3) separate readings bringing Ordinance No. 30 – 2015 forward for a vote.

COUNCIL PRESIDENT TOWNSEND – Seconded by Councilwoman Del Rio-Keller, roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT TOWNSEND – And for passage.

9 yes for passage

COUNCIL PRESIDENT TOWNSEND – Thank you, Madam Clerk. Ordinance No. 30 has passed. Ordinance No. 33.

ORDINANCE NO. 33 – 2015
COMMITTEE

BY: COMMUNITY DEVELOPMENT

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Brahler's Cleaning and Restoration, Inc. to provide an economic development "inducement grant" to assist the business in renovation expenses at 1929 Ninth Street S.W., and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Manson.

COUNCILMAN MANSON – Yes, thank you, Mr. President. I intend to give this first reading tonight, but we have one, I'll call it a typographical error, I don't think we need to go through all the voting to amend this and where it says 9th St. S.W., originally it said 44646 (zip code), I believe, we need to have 44647 (zip code) in there after that. The only reason on this, I'd like to just let it go for another two (2) weeks or so and let people talk about it. I'm hoping it will be in the paper again and if there's anything that comes up, we hear about, otherwise probably at the second reading I will be prepared to pass this. So, first reading.

COUNCIL PRESIDENT TOWNSEND – First reading, thank you.

COUNCILMAN MANSON – We don't need to amend it, right?

COUNCIL PRESIDENT TOWNSEND – No. Ordinance No. 33 has received first reading

and thank you for catching the error. Ordinance No. 34.

ORDINANCE NO. 34 – 2015
COMMITTEE

BY: COMMUNITY DEVELOPMENT

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with the Columbus Equipment Company to provide an economic development “inducement grant” to assist the business in renovation expenses at 2195 Venture Circle S.E., and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Thank you. Councilman Manson.

COUNCILMAN MANSON – Thank you, Mr. President. We also have a typo in here. My understanding is and Larry, you can let me know if there’s a problem there. Where it says 2195 Venture Circle S.E., that’s actually supposed to be 2200, I believe. Is that right, 2200, I believe is what it’s supposed to be?

COUNCIL CLERK ROLLAND – Correct, correct.

COUNCILMAN MANSON – So, I guess we’ll call that a typo too, unless you think we need to amend it.

COUNCIL PRESIDENT TOWNSEND – It’s a typo.

COUNCILMAN MANSON – Okay. So, instead of 2195, it would be 2200 Venture Circle S.E. First reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. Ordinance No. 34 has received first reading.

COUNCIL CLERK ROLLAND – And could I make a statement?

COUNCIL PRESIDENT TOWNSEND – Sure.

COUNCIL CLERK ROLLAND – Mr. President, these typos were on the Request for Legislations, not on the original ordinances.

COUNCIL PRESIDENT TOWNSEND – Okay, thank you. So we will correct those typos. Thank you very much, Council Clerk. Ordinance No. 35.

ORDINANCE NO. 35 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Economic Development Fund, for the year ending December 31, 2015, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. Ordinance No. 35 has received first reading. Ordinance No. 36.

ORDINANCE NO. 36 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Economic Development Fund, for the year ending December 31, 2015, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. Ordinance No. 36 has received first reading. Ordinance No. 37.

ORDINANCE NO. 37 – 2015 **BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Safety and Service of the City of Massillon, Ohio, to enter into an agreement with CBSC, Inc., for the year ending December 31, 2015, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Yes, I'd like to call Mr. Koher forward.

COUNCIL PRESIDENT TOWNSEND – Would you come up, Mr. Koher?

KEN KOHER – Good evening, members of Council, Mr. President.

COUNCILMAN LEWIS – If I remember correctly, this question would be applicable for No. 37 and No. 38. We are not in a time crunch, we can discuss these at the next Work Session?

KEN KOHER – Correct.

COUNCILMAN LEWIS – Okay, thank you.

KEN KOHER – I would suggest first reading.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. That's your...first reading? Okay, thank you. Ordinance No. 37 has received first reading. Ordinance No. 38.

ORDINANCE NO. 38 – 2015 **BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Safety and Service of the City of Massillon, Ohio, to enter into a Memorandum of Understanding with Ohio Shared Services, a division of the State of Ohio's Office of Budget and Management ("OBM"), for the year ending December 31, 2015, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. Ordinance No. 38 has received first reading. Ordinance No. 39.

ORDINANCE NO. 39 – 2015 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1406 Wastewater Treatment Capital Improvement Fund and the 1215 Law Enforcement Fund, for the year ending December 31, 2015, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Mr. Koher, would you please come forward?

COUNCIL PRESIDENT TOWNSEND – Mr. Koher.

KEN KOHER – Good evening, again.

COUNCILMAN LEWIS – Yes, are you able to speak to the Wastewater Treatment; are you

aware of what these expenses are going towards?

KEN KOHER – I'm not aware of the urgency, whether there is or not.

COUNCILMAN LEWIS – Alright, thank you, Mr. Koher. Since I am not exactly certain as to the parameters for these projects, I will be giving these first readings to give us time to do more research.

COUNCIL PRESIDENT TOWNSEND – Thank you, Councilman Lewis. Ordinance No. 39 has received first reading.

7. **UNFINISHED BUSINESS**

8. **PETITIONS & GENERAL COMMUNICATIONS**

9. **BILLS, ACCOUNTS & CLAIMS**

1. The Repository - \$251.60 – Publication of January Ordinances.

COUNCIL PRESIDENT TOWNSEND – Thank you, Madam Clerk. Councilman Lewis, I need a motion to pay the bills.

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

COUNCIL PRESIDENT TOWNSEND – Seconded by Councilwoman Scassa. Roll call to pay the bills.

9 yes to pay the bills

COUNCIL PRESIDENT TOWNSEND – Thank you, Madam Clerk. The bills will be paid.

10. **REPORTS FROM CITY OFFICIALS**

1. Treasurer's Report – February 2015

COUNCIL PRESIDENT TOWNSEND – Thank you, Madam Clerk and that report will be filed in the appropriate place.

11. **REPORTS OF COMMITTEES**

COUNCIL PRESIDENT TOWNSEND – Councilwoman Del Rio-Keller.

COUNCILWOMAN DEL RIO-KELLER – Thank you, Mr. President. I just wanted to let members of Council know that last Thursday, March 12th, myself, Mr. Stinson and Mr. Manson did go to the Park & Recreation Board meeting. At that meeting the Park Board voted 0 – 3 to approve hiring a manager for the golf course. We'll have more discussion at our Work Session next week.

COUNCIL PRESIDENT TOWNSEND – Is there anyone else?

COUNCILMAN MANSON – In two (2) weeks.

COUNCIL PRESIDENT TOWNSEND – Two weeks?

COUNCILWOMAN DEL RIO-KELLER – Two weeks. And that's all I have.

COUNCIL PRESIDENT TOWNSEND – Okay, thank you.

12. RESOLUTIONS & REQUESTS OF COUNCIL MEMBERS

COUNCIL PRESIDENT TOWNSEND – Councilwoman Halter.

COUNCILWOMAN HALTER – Thank you, Mr. President. As a request, I passed around these flyers for the benefit dinner for Tegan Wise. In explaining this, Tegan is the son of one of our City employees, she's our WIC nurse at the Health Dept. They happen to live next door to me and also Erin is my cousin. It explains here what the problem is. They're having a fundraiser Monday, March 30th from 5:00 pm to 8:00 pm up at the Firehouse. I was going to request of Council if they'd be interested in meeting earlier that night for our Work Session so that we would be able or any of us that would like to, would be able to go up after the meeting and attend the fundraiser. So, I would like to ask if you would be interested in starting the Work Session at possibly 5:30 pm. Everybody agree to that? Okay.

COUNCIL PRESIDENT TOWNSEND – Is that a yes?

COUNCIL AS A WHOLE – Yes.

COUNCIL PRESIDENT TOWNSEND – Yes. Thank you. Is there anyone else?
Councilman Lewis.

COUNCILMAN LEWIS – I just want to make sure that serves as notice to the press that on the 30th we'll be meeting at an earlier time than typical.

COUNCIL PRESIDENT TOWNSEND – I think Councilman Manson would address that. Okay, is there anyone else?

13. CALL OF CALENDAR

14. THIRD READING OF ORDINANCES & RESOLUTIONS

ORDINANCE NO. 21 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE appropriating money for current expenses and other expenses of the City of Massillon, Ohio, for fiscal period ending December 31, 2015, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – This is what we've been discussing; it's what's known as the Budget. We've been discussing it for six (6) weeks after looking at the Fiscal Plan that we have, we have some numbers that we can work with now on the Fiscal Plan. I do not see how whichever direction we go with the Fiscal Plan would make any dramatic changes to the current Budget proposed. So if there are no discussions that need to be had or questions or concerns about the current Budget, I would sooner just go ahead and vote on it tonight than just tabling it out in which case we'd have to vote on it before the 31st. Is there any comments, concerns, objections?

COUNCIL PRESIDENT TOWNSEND – Councilman Manson.

COUNCILMAN MANSON – I'd just like to say that I don't if it was last year or two (2) years ago we had something that was wrong in our final Budget and the Auditor, we had to go back and revisit it, I believe, in April, so I don't believe we're doing anything really that's a problem. I'm just for just moving on it.

COUNCILMAN LEWIS – With that, I’ll say, again, for the record, this Budget from all the information that we have been provided from the Auditor’s office and the Administration, it is funded on all aspects. The Police Dept. fully funded, the and Fire Dept. fully funded and it does seem to cover the costs that we are expecting or needed throughout the year and we certainly anticipate an increase of revenue through the course of the year through our income tax collections just because more businesses have come to the City. So, hopefully, we can do more this year. With that said, I make a motion that we bring Ordinance No. 21 – 2015 forward for a vote.

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

9 yes for passage.

COUNCIL PRESIDENT TOWNSEND – Thank you, Madam Clerk. Ordinance No. 21 has passed.

15. SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 23 – 2015

BY: ENVIRONMENTAL COMMITTEE

AN ORDINANCE amending Chapter 965 “STREETS, UTILITIES AND PUBLIC SERVICES” of the Codified Ordinances of the City of Massillon, Ohio, by enacting a new Section 965.05(b) “PRIVATE COLLECTION LICENSE”, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Mr. President. This ordinance would currently allow any private trash collection license to be transferred from the owner of that license to an immediate family member only. The current rule doesn’t allow any transfer whatsoever and when that person owning the license ceases business or is deceased, that license is gone. We currently had a gentleman patiently waiting to transfer license out of his father’s business name so he can continue the private trash collection business. We did have a lot of extensive discussion on this in Work Session and may possibly visit opening this up for allowing future licenses, but we don’t want to visit that at this point, so, I would ask at this point that we suspend the rules requiring three (3) readings and bring this Ordinance No. 23 forward for a vote so that we can get this gentleman on his way to properly being licensed in the City and taking over that business of his father’s.

COUNCIL PRESIDENT TOWNSEND – Thank you. Seconded by Councilman Manson. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT TOWNSEND – And for passage.

9 yes for passage

COUNCIL PRESIDENT TOWNSEND – Thank you, Madam Clerk. Ordinance No. 23 has passed. Ordinance No. 25.

ORDINANCE NO. 25 -2015

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE establishing the number of police officers to be on the force within the next eighteen (18) months.

COUNCIL PRESIDENT TOWNSEND – Councilman Chovan.

COUNCILMAN CHOVAN – Thank you, Mr. President. Second reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. Ordinance No. 25 has received second reading. Ordinance No. 26.

ORDINANCE NO. 26 – 2015 **BY: FINANCE COMMITTEE**

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – RECREATION DEPARTMENT of Ordinance No. 127 – 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES – RECREATION DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES – RECREATION DEPARTMENT in the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Second reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. Ordinance No. 26 has received second reading. Ordinance No. 28.

ORDINANCE NO. 28 – 2015 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Parks and Recreation Dept. Improvement Fund, for the year ending December 31, 2015, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Second reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. Ordinance No. 28 has received second reading.

16. NEW & MISCELLANEOUS BUSINESS

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

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

DANA HEFFNER – I’m with First Energy. Address 2600 Erie St. S. I am here as the area manager. I took over for Ray Martinez when he retired last year and I just wanted to introduce myself to members of Council and pass along my contact information so that if you should need anything in particular to make sure you have my information and feel free to contact me.

COUNCIL PRESIDENT TOWNSEND – Thank you very much. Is there anyone else?

ANN BLEAU – Thank you Council President. I live at 2050 Cypress Dr. S.E., Massillon and I’m here tonight to just briefly talk about The Legends. First of all, I would like to start by thanking City Council for their recent efforts to save this valuable asset. These efforts are appreciated and have not gone unnoticed. I also wanted to read some parts of a letter that I received from the Mayor as though I believe many of the residents did regarding The Legends Golf Course. And she states that “Speculations and rumors about the course have been wide spread throughout our community. She completely understands that property owners in and around the golf course are frustrated. She too is frustrated”. The letter goes on to say “For the record, there is no plan nor is she proposing a plan to sell or close the golf course. I would like to say, as the Mayor, I too, am frustrated. However, our Parks and Rec Board openly declare

that the golf course is a “money pit” and other terms that they like to use. And we know that this isn’t true. This is inaccurate. They go on to say that it should and will be closed. I find their attitude frustrating and frankly, somewhat disrespectful when you’re sitting in a meeting and they like to wave their hands and speak of us. However, the Parks and Rec Board is now missing another member due to the fact that he has missed three (3) consecutive meetings and according to their by-laws, he is no longer eligible to sit on their Board”. This now takes the five (5) member committee down to three (3). One (1) seat has been open for months and one (1) more needs to be open. I would like to know when and how these replacements will be made. Thank you for your time.

COUNCIL PRESIDENT TOWNSEND – Thank you.

ROBERT DEHNKE – Thank you, to Council and Mr. President. We were here to request for you to look at the variance denial that we had; the variance request denial that we had. There’s a folder, I think, on the table before each of you. We have owned a lot in the City of Massillon for about ten (10) years. Our daughter first purchased the lot and she then decided to buy a home. It was one of her family members, from her husband. So we ended up purchasing the lot from her. So our request is we would like to build an approximately 1,400 ft. square ranch on Lot. # 6796 which is at the northeast corner of Kendall Ave. and Wales Rd. A house similar to the one pictured in the packet, about page No. 3 in the packet and there is also a following floor plan for that house. According to the City Zoning, a 25’ setback applies to any street. Being that this is a corner lot, this requires a setback from each street, both Wales and Kendall. Most city lots being between 40’ and 55’ in width, ours being 52’, because of the 25’ setback and the side yard setback, this leaves only about 21’ of width to put a ranch home on this lot. And with that being said, a home of that width and the size that we had requested would end up being about 21’ wide and 93’ long, looking more like a mobile home than a reasonable house on the lot. Anyways, also looking at the lot, there’s some pictures of some homes in the area. There’s houses on those lots and they have been placed closer. The front yard setback appears to be correct, the side yards appears to be quite a bit closer than the 25’ for the same reasons; not having enough width on the lot to get the house on. In 2004 there was a variance approved. That was the variance that my daughter had asked for prior to purchasing the lot. Went through zoning and also came before Council and the Council approved that. Since she did not build a house on it after one (1) year, the variance expired. So then again, there was a variance request in 2009 as we have tried to sell the lot and we had a purchaser. That sale ended up falling through and there again, after a year, the variance was expired. So we are here to request that Council considers approving our variance to be able to build this house. We did have the meeting with the Zoning Board on Thursday night of last week. Two (2) of our adjacent neighbors did come to the meeting and their complaints, the ones that we can remember from the meeting are listed on here and some of them are being “loss of their children’s playground”, the empty lot, “a restriction to their panoramic views”, “do not want a driveway adjacent to their lot”, “do not want to step out the front door and look at a garage”, “stated concern for the value of value reduction in their property”. We’ve built two (2) new houses in the City in the northeast section and we also own two (2) other ones in the northeast section of the City. So, we’re fairly familiar with the area. Normally a new house on an empty lot does not drive the house values down. Anyway, we’ve attached a tentative plot plan which is in there also. The lot is located across from the closed fire station. One of the things that we like about the lot originally was that there was a fire station across the street and belonged to the City and knew it would be taken care of. That has since changed a little bit, but, we are still willing to put our money into the City and hopefully provide some more tax money to the City which I know is well needed. With our request, there’s only a couple of homes that are affected. One which is to the west of us and the one to the north of us; the two (2) adjacent properties with being on the corner lot and then the other item is the fire station across the street. Looking also at the size houses of the adjacent neighbors, the one was 1,440 sq. ft. and the other one is 1,785 sq. ft. and the house we’re requesting to build is also in that low 1,400 sq. ft. range. We’d appreciate any consideration from the Council and thank you for your time.

COUNCIL PRESIDENT TOWNSEND – Thank you.

LINDA DEHNKE – He just forgot to say his name. He's Robert Dehnke and I'm Linda. Thank you.

COUNCIL PRESIDENT TOWNSEND – Thank you. I attended last Thursday's meeting so I knew the name, so I just didn't ask, sorry. Is there anyone else? Come on down.

PAM GARNER – I'm a nurse at Affinity Medical Center and I'd like to thank you all for taking the time to hear our concerns about the safety of patients in our community. As most of you know, the RN's at Affinity Medical Center voted in August 2012 to join National Nurses Organizing Committee, National Nurses United. National Nurses United is the largest professional association of RN's in the United States. The primary reason that nurses voted to have representation was and remains the ability to secure mechanisms in a collective bargaining contract. That places limits on the number of patients a nurse can be made to take care of at one time. In the State of Ohio there is absolutely no limit to the number of patients nurses are made to care for at one time. There is no oversight or regulation by the Ohio Dept. of Health and regulatory agencies such as the Joint Commission and the Center for Medicare and Medicaid. They only state that an adequate number of nurses are available to care for patients. A guideline that is so vague that it is practically meaningless. Too frequently when nurses voice objection to unsafe patient care assignments, they face overt hostility from hospital administration. It is for this reason that nurses across the United States are seeking to insure safe staffing legislation as well as secure language in a collective bargaining contract that protects our patients and our profession. Some of you may have been following the news about Affinity RN struggle including the most recent unanimous jury verdict in favor of our sister, Ann Waite, who was terminated in retaliation for her outspoken role as a leader in the fight for safe patient care at Affinity Medical Center. The heavy-handed and continued violations of the law by our employer, Affinity Medical Center, are the reason that we are making a public appeal for support of our community leaders. Sadly, we know all too well that our patients suffer when we are not able to freely speak about our concerns and worse when the professional nurses are ignored, thank you.

COUNCIL PRESIDENT TOWNSEND – Thank you.

LAUNDA SLACK – I'm a Registered Nurse at Affinity Medical Center for the past twenty-eight (28) years. I am here this evening to bring your attention to serious public health concerns. The stack of papers here that we have is called assignments despite objections forms. These forms we have compiled over the past two (2) years and whenever there's professional judgment assignments pose threat to potential threat of safety in their patients, we fill out these forms. You can see from the size of the stack that there have been many, many shifts when nurses were concerned about their patient's safety. Nurses are required, as a condition of their license, to object to any threat to safety to their patients. They have a duty to document their concerns and bring them to the attention of the management. At Affinity throughout the Community Health Systems chain when nurses bring these concerns to management they are met with the response that ranges from indifference to overt hostility. CHS has instructed our management to refuse to accept these forms and they have done so. When the Affinity RN's have told management about their objections and their concerns there is simple, typical response. They say okay, "what can we do, pull a nurse out of our a**"? If you were a better nurse you could handle the situation; I'm not allowed to take that objection; you're lucky to have a job here". This is the type of concern that has been documented. No one to provide care for a patient who is confused or may fall. Nurses are caring for up to eight (8) patients and that is a very unsafe ratio. The patient is too sick for the area they are in. Nurses are caring for too many patients, delayed medications, inability to assist patients to the bathroom, inability to turn and clean patients that have soiled themselves, patient did not receive personal hygiene, nurses in ICU caring for three (3) patients at a time when the standard has always been one (1) to one (1) or one (1) to two (2), at the most. The Senior Mental Health Unit, there are not enough nurses to provide line of sight care and toilet the patients at the same time or even use the bathroom themselves. Orientees end up caring for a full team before they are fully trained. This is just a small sample of the types of concerns the nurses have. The results of inconsistencies, failing to staff faithfully are showing in our quality results. Recently Affinity has lost

approximately \$150,000 due to penalties from CMS for having too many urinary catheter infections. These infections are entirely preventable when proper care is given and maintenance performed. Unfortunately, at Affinity, there are frequently not enough RN's to provide this care. Nurses know what is needed and to keep patients safe. Unfortunately, CHS has taken the penny-wise, pound-foolish approach. They refuse to fill vacant positions and keep staffing to the levels of that are necessary to provide safe, competent care. The quality of the care that every patient who comes to Affinity Medical Center deserves the quality of care that our community must be demand in the Community Health Systems. Thank you very much, again, for your time.

COUNCIL PRESIDENT TOWNSEND – Thank you.

MICHELLE MAHON – Thank you, again, all for your time and attention. I'm a Registered Nurse. I am a representative with National Nurses United. I am working with nurses throughout the Community Health Systems chain because not only are these things happening in Massillon, they are happening in small communities across the country. Just briefly, Community Health Systems is now the largest for-profit hospital chain in the United States by number of hospitals and one of the wealthiest. Over the past five (5) years, CHS has reported more than one and a half billion in profits to the Security and Exchange Commission. CHS has carefully crafted a marketing scheme that masks its corporate identity from the communities where they do business. In the past twelve (12) months, CHS had paid \$75 million dollars to settle Medicaid fraud allegations and \$98 million to settle Medicare fraud allegations. CHS accounts for 40% of the 100 top charging hospitals. Nearly 85% of the CHS hospitals that own Affinity Medical Center charge above the national average by 331% and some up to a thousand. Six (6) of the nine (9) most expensive hospitals in the United States all setting their prices ten (10) times their cost are operated by CHS, the owner of Affinity Medical Center. With growing national attention to hospital pricing practices, date of release in January by the Institute for Health and Socio-Economic Policy, a National Nurses United shows that hospital charges continue to skyrocket with many charging more than ten (10) times their cost. Nearly \$1,200 for every \$100 of their total cost. This is based on data submitted to the Federal government. CHS hospitals across the nation have been on the receiving end of three (3) Federal injunctions for violating nurses' rights. An unprecedented number considering that only about ten (10) of these Federal sanctions are issued every year by the worst offenders of labor violations and law breakers in this country. Despite CHS efforts to continue to brand Affinity Medical Center as the small community hospital that many relied upon in Massillon Community Hospital and Doctors Hospital, the truth is that our hospital is now owned by a goliath that takes valuable health care resources out of our community and uses them to line the pockets of investors on Wall Street without any regard to the consequences to the patients and the families at the local community level where they operate.

COUNCIL PRESIDENT TOWNSEND – Thank you. Councilman Manson.

COUNCILMAN MANSON – She gave her name but she didn't give her address in case we have to contact her.

MICHELLE MAHON – Sure. Also, I believe Ms. Rolland has my contact information. Affinity nurses are willing to meet with any of you on an individual basis to discuss in more detail our concerns. My address is 17212 Misty Lake Dr., Strongsville, OH 44136 and I am a nation representative with NNU.

COUNCIL PRESIDENT TOWNSEND – Thank you very much. Is there anyone else? Okay, before we adjourn, I would like to wish Councilman Manson a peaceful and restful vacation.

COUNCILMAN MANSON – I'm not leaving.

COUNCIL PRESIDENT TOWNSEND – Oh, you're not?

COUNCILMAN MANSON – Not for a day or two.

COUNCIL PRESIDENT TOWNSEND – Well, still enjoy it.

COUNCILMAN MANSON – I will.

COUNCIL PRESIDENT TOWNSEND – And stay off the internet. Oh, Mr. Lewis is leaving also.

COUNCIL AS A WHOLE – No, it's his birthday.

COUNCIL PRESIDENT TOWNSEND – Oh, it's his birthday? Councilman Lewis' birthday. Happy Birthday, Councilman Lewis.

COUNCILMAN LEWIS – Thank you.

COUNCIL PRESIDENT TOWNSEND – You turned 21 today.

COUNCIL CLERK ROLLAND – That's why this day is so special for you, right?

COUNCILMAN MANSON – We are going to reconvene our Committee meeting that we had after a few minutes after this. We'll take a little break here.

COUNCIL PRESIDENT TOWNSEND – There will be a meeting after the Council meeting. Councilwoman Halter, I need a motion to adjourn.

18. ADJOURNMENT

COUNCILWOMAN HALTER – Yes, Mr. President and I move we adjourn.

COUNCIL PRESIDENT TOWNSEND – Seconded by Councilwoman Starrett. This meeting is adjourned.

DIANE ROLLAND, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

