

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD, MONDAY, OCTOBER 5, 2009**

COUNCIL PRESIDENT GAMBER I d like to welcome all of you to Massillon City Council for Monday, October 5, 2009. We have in attendance with us this evening: Mayor Francis Cicchinelli, Law Director Perry Stergios and Fire Chief Tom Burgasser. On the wall to your left are agendas for anyone who wishes to follow the meeting. Also under item #5 on the agenda is where the public can speak on any item that appears on the agenda and then under item #17 is where the public can speak on any item that does not appear on the agenda. I d also like to remind anyone with a cell phone please turn it off or turn it very far down.

**1. ROLL CALL**

Roll call for the evening found the following Council Members present: Gary Anderson, Kathy Catazaro-Perry, Dave Hersher, Ron Mang, Paul Manson, Dave McCune, Donnie Peters, Larry Slagle and Tony Townsend.

Thus giving a roll call vote of 9 present.

**2. INVOCATION**

COUNCIL PRESIDENT GAMBER At this time I will introduce Councilman Larry Slagle, who has a guest for the invocation.

COUNCILMAN DAVE MCCUNE – I have Pastor Larry Lalama from Central Presbyterian Church in Massillon, Ohio. I’ve asked him to do the invocation for us today.

**3. PLEDGE OF ALLEGIANCE**

COUNCILMAN DAVE MCCUNE – Chairman of the Parks and Recreation Committee led those in attendance in the Pledge of Allegiance.

**4. READING OF THE JOURNAL**

COUNCIL PRESIDENT GAMBER Madame Clerk are the minutes of the previous meeting transcribed and open for public viewing (Yes, they are) Are there any additions or corrections to the minutes? If not the minutes stand approved as written.

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

RICHARD LUTZ – I’m with Lawrence and Dikes Architects. I’m here regarding the zoning appeals for the Massillon Salvation Army. At your work session that we had a week ago one of the things that we talked about was an upcoming the following night meeting with the concerned citizens. Mr. Manson had an opportunity to come and listen to that we felt that was a very good meeting. We had an awful lot of discussion about rumors that had been heard. We straightened out a lot things we gave people an opportunity to look at the plans we discussed some various options with them. There was even discussion about potentially using the Salvation Army as a base for a neighborhood watch. So there was a lot of interaction and I thought a lot of good interaction between the neighbors and the Salvation Army.

COUNCIL PRESIDENT GAMBER Thank you. Did you give us your address at the beginning,

please?

RICHARD LUTZ – My address is 125 Valleyview, Canton, Ohio.

COUNCIL PRESIDENT GAMBER Thank you.

RICHARD LUTZ – Thank you.

## 6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

### ORDINANCE NO. 118 – 2009 BY COMMUNITY DEVELOPMENT COMMITTEE

Authorizing the Mayor of the City of Massillon, Ohio, to enter into a contract development agreement with the Association for Better Community Development, Inc., (ABCD, Inc) to utilize Neighborhood Stabilization Program (NSP) funding to acquire, rehabilitate and resell two vacant foreclosed properties in the City of Massillon, and declaring an emergency.

COUNCILMAN MANG – First reading.

ORDINANCE NO. 118 – 2009 WAS GIVEN FIRST READING.

### ORDINANCE NO. 119 – 2009 BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

Authorizing the Director of Law of the City of Massillon, Ohio, to enter into a one year contract with the Village of Hills and Dales, for the purpose of providing prosecutorial services, and declaring an emergency.

COUNCILWOMAN CATAZARO-PERRY Ordinance No. 119 is to enter into contract with the Village of Hills and Dales to prosecute traffic and criminal cases. It will be paid at \$100.00 per case and either party has the option to terminate this agreement within a 30 day notice.

COUNCILWOMAN CATAZARO-PERRY moved for suspension of the rules and passage, seconded by Councilman Peters.

The rules were suspended by a roll call vote of 9 yes.

ORDINANCE NO. 119 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

### ORDINANCE NO. 120 – 2009 BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the Neighborhood Stabilization Program Fund and the Marketplace Infrastructure Fund, for the year ending December 31, 2009, and declaring an emergency.

COUNCILMAN MANSON We had considerable discussion about both parts of this. The first part is \$219,000.00 it's related to the Ordinance No. 118 so we will not be really discussing anything there. The second part of this is \$6,000.00 in legal expenses to our legal advisor Bricker and Eckler. It's my intension to just give this first reading tonight. But we didn't the other night there was some discussion and some questions and I just wondered if the president maybe wanting to bring the mayor to the podium to maybe discuss this part of the ordinance. I still intend to just give this first reading.

COUNCIL PRESIDENT GAMBER That's fine if you'd like to call him forward, Mr. Mayor?

COUNCILMAN MANSON There was some discussion at this meeting the other night at our committee meeting. These are expenses that are related to the TIF's that we acted on last month. I guess there were some questions maybe you could give us a little information on this that like I said we're just going to give this first reading anyhow. But would you like to care to comment on this or maybe take any questions from anybody from council?

MAYOR CICCHINELLI – My only comment would be I believe that this question was asked. I'm not sure if was asked at a council meeting or if was asked at a work session. We were talking about the TIF's originally but I think someone had asked was there going to be any additional costs. I'm sure I made a comment that the only cost associated would be some sort of legal fees from Bricker and Eckler. Because I know during those discussions and there were many the I had stated that there were discussions between Mr. Meaks and Bricker and Eckler and city officials and Bricker and Eckler. So I'm sure that was mentioned. This is the bill that's pending.

COUNCIL PRESIDENT GAMBER Mr. Manson?

COUNCILMAN MANSON That satisfies me I know this you know we look at something like this and we see \$6,000 we think it maybe exorbitant Also look at the number of hours involved it was only 20 hours of work that I'm sure will give us a lot of help as far as making sure we avoid any problems with these TIF things that we are doing here.

COUNCIL PRESIDENT GAMBER Is that a question?

COUNCILMAN MANSON No, I' just a comment.

COUNCIL PRESIDENT GAMBER Mr. Slagle, you have a question for the mayor?

COUNCILMAN SLAGLE Yes, Mr. Mayor, is this an expense that will be on each of the TIF's that we will have legal expenses on them as well as the \$10,000 that was paid to Mr. Meaks?

MAYOR CICCHINELLI – If in the future we utilize Bricker and Eckler in any way for example the law department would like a review of a future ordinance concerning the TIF then the answer is yes. There will be some fees for that service like any professional service; if not then of course no.

COUNCILMAN SLAGLE Would your expectation be that they would be reduced in the future for those or the same amount?

MAYOR CICCHINELLI – Well, they have a specific fee. Now if you're asking for us to go back and talk to them and see if they can give us a lower fee we'll do that. But I think they have a base fee most firms do. They have done a lot of work for the city in various items, various situations. So...I mean we can argue the cost I'm not excited about it either but it is what it is. It's a professional service and they're expensive but in something this specific and detailed I think we need to find a firm with one or two attorneys that have become well informed on tax increment financing. We've done that and in order to that professionalism you're going to pay for it.

COUNCIL PRESIDENT GAMBER Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY – Mr. Mayor, we just paid \$10,000 and I was a no vote on that (we all know that) now we're asking for \$6,000 more these conversations were well in advance of the time that we that council approved the TIFs. So I will not be supporting this because they were dated some of these conversations were dated back to June 20th from what we received last Monday. I think that you had asked council to support the \$10,000 for the gentleman that was doing the TIFs and now its \$6,000 more. I just won't support that.

MAYOR CICCHINELLI – Well, Kathy, I know for a fact it was discussed maybe you did not attend that specific meeting. It was either at a regular council meeting or at a work session. But it was somebody had asked the question. As far as the dates on discussions before the administration brings council any legislation requests we do our homework. If that conversation was held prior to this being introduced to council it was part of us doing our homework. Any time you talk to a professional especially in the legal arena you're going to pay for that service or for those discussions or for those meetings or for those phones calls what you're talking about that is the way they do business. If you think you're gong to avoid that in the future you're full of yourself.

COUNCILWOMAN CATAZARO-PERRY – Well, that’s what we paid the gentleman \$10,000 for. So why didn’t we just hire Bricker and Eckler then instead of paying \$16,000 let Bricker and Eckler do the work for us. I mean we’re double paying.

MAYOR CICCHINELLI – They both served a purpose and I think seeing that things have run pretty smoothly so far on the TIFs I think we were correct. I mean we can argue forever, but I respect your vote, I respect your dissatisfaction and disapproval, but I disagree with you whole heartedly.

COUNCIL PRESIDENT GAMBER Mr. McCune?

COUNCILMAN MCCUNE Mayor, is this the same process that was used in all the previous TIF’s that we’ve passed and where prior to bringing the TIF before council?

MAYOR CICCHINELLI –No, because we did not hire a consultant for that because those TIF’s were different than this TIF. This is as you know a non-school TIF which is a newer type or excuse me a different type of tax increment financing. So no, we didn’t do that for those previous TIF’s. As far as our first experience was with Massillon Marketplace that one went pretty smoothly. Second experience was of course with Meadow that one actually a lot of that legal information and terminology was handled by the developer’s attorney which worked with our law department. But this is new territory for us and we wanted to do it right.

COUNCILMAN MCCUNE Thank you.

COUNCIL PRESIDENT GAMBER Thank you, Mr. Mayor. Mr. Manson?

COUNCILMAN MANSON I’ve got another question I’d like to bring the law director up if I could please. Yes, is there anything irregular or out of the ordinary for the mayor to outside for legal advice on something like this. Does he have the right to do that?

LAW DIRECTOR STERGIOS – Yes, he has the right to do it council has to appropriate the money to ultimately pay the bill. But it’s absolutely permissible so...

COUNCIL PRESIDENT GAMBER Thank you, Mr. Stergios. You’re giving this first reading?

ORDINANCE NO. 120 – 2009 WAS GIVEN FIRST READING.

ORDINANCE NO. 121 – 2009 BY: FINANCE COMMITTEE

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Public Entities Pool of Ohio (PEP), for the vehicle, property, general and public official liability and law enforcement coverage for the City of Massillon, and declaring an emergency.

COUNCILMAN MANSON Yes, we had some discussion with Mr. Loudiana at last week’s work session. This here I’ll just read his request; I’m requesting legislation permitting the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Public Entities Pool of Ohio for the vehicle, general and public official liability and law enforcement coverage and City of Massillon. The total is \$336,240.00 according to Mr. Loudiana we have a date where the policy is expiring September 16th we actually got the paperwork he said in early September. So we couldn’t get this here any sooner. So I’m going to be asking my follow council members in moving this thing forward tonight to get it done.

COUNCILMAN MANSON moved for suspension of the rules and passage, seconded by Councilman Hersher.

The rules were suspended by a roll call vote of 9 yes.

ORDINANCE NO. 121 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

ORDINANCE NO. 122 – 2009 BY: FINANCE COMMITTEE

Establishing a fund entitled “EMS Fund”, and creating line items within said fund, and declaring an emergency.

COUNCILMAN MANSON Yes, this is an ordinance establishing a fund for EMS. This is something that we do not have to act on it until we deal with Ordinances 115 and 116. So I will be giving this first reading.

ORDINANCE NO. 122 – 2009 WAS GIVEN FIRST READING.

ORDINANCE NO. 123 – 2009 BY: FINANCE COMMITTEE

Authorizing the Mayor of the City of Massillon, Ohio, to accept a Domestic Violence Prosecutor Grant (2009-AR-VA2-1251) that will allow the City of Massillon to have designate a prosecutor specifically for domestic violence cases, and declaring an emergency.

COUNCILMAN MANSON Yes, we have the law director here I’m going to ask him to come up. We received a renewal for a grant for domestic violence prosecutor. The grant will pay \$53,424.00 and we will have a remaining cash match of \$17,800.00. This is a grant that I guess we have gotten I know we have gotten from time to time in the past. I don’t believe we got it last year and I’m not sure about the year before. But I’m sure Mr. Stergios can give us a little information on this if you would please.

COUNCIL PRESIDENT GAMBER Mr. Stergios?

LAW DIRECTOR STERGIOS – This is technically is not a renewal although it is similar to a grant that we’ve received in the past. We have not had it for two years I believe and it runs like a this one runs from July 31 until the end of June of 2010. So its not on a calendar year any event its our intention to move Malynda Reed who previously was the domestic violence prosecutor off of the general fund payroll back onto the grant payroll where she used to be over two years ago. Then that will free the matching funds from my regular salary account to meet the match on this. We have to back date it to July 31 which is my problem I guess not yours. It’s hard conceptionally to figure out how you have to do that but that’s what we will do with it. If we don’t get the matching funds we don’t get the grant. So I think with the ability to use money we already have to be the matching funds it really isn’t new money being used to meet the match. Any other questions I’ll try to answer them.

COUNCILMAN MANSON moved for suspension of the rules and passage, seconded by Councilwoman Catazaro-Perry.

The rules were suspended by a roll call vote of 9 yes.

ORDINANCE NO. 123 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

ORDINANCE NO. 124 – 2009 BY: FINANCE COMMITTEE

Authorizing the Mayor of the City of Massillon, Ohio, to accept the Edward Byrne Memorial Justice Assistance Grant (2009-RA-D01-2203) for the establishment of a Community Partnership Prosecutor Unit to fund 1.45 prosecution positions for the Massillon Law Department, and declaring an emergency.

COUNCILMAN MANSON Yes, the same thing we discussed this last week at the committee meeting. Like the Clerk read this is a Community Partnership to establish a Community Partnership Prosecution Unit and it will fund 1.45 prosecutor’s positions. It comes from the Edward Byrne Memorial Justice Assistance Grant Award. The period is like Mr. Stergios said before it’s from July 31, 2009 through December 31, 2010. If there are any questions the law director can answer them. I don’t know if he has anything to say he can come up and explain it to us.

COUNCIL PRESIDENT GAMBER Do we have any questions on this? Would you like the law director to come?

COUNCILMAN MANSON I feel he may have something to say.

LAW DIRECTOR STERGIOS – I do have something to say. You have to excuse I think I told you this at committee meeting this is also a 25% match which either didn't make it in the ordinance or I neglected to put it in. I apologize I have the numbers in my office but I believe this one was approximately \$34,000.00 match to get the \$127,000.00. In any event it is no new hires it is retain jobs our intention and what we will do is move a prosecutor and a half their salaries off of the general fund account and put them onto the grant which will then again free up the money in my salary accounts to meet the matching funds that are required in order to accept this. So it is also this one is a 17 month grant and it also is retro active to July 31 of 2009 so we can take care of the bookkeeping aspects of it but it will run over a 17 month period instead of one year. That's just the way they set it up if I knew why they do it that way I'd tell you but its either take it that way or don't take it. So...

COUNCIL PRESIDENT GAMBER Mr. Stergios, does the ordinance for the matching funds have to run concurrently with this or can we pick that up another time?

LAW DIRECTOR STERGIOS – I guess I'll just put another ordinance on for the next meeting to put the matching funds in because it doesn't mention those. It's easier than amending it right now we accept the grant we can start the processing and do the matching funds next time.

COUNCIL PRESIDENT GAMBER Thank you. Mr. Manson?

COUNCILMAN MANSON moved for suspension of the rules and passage, seconded by Councilman Hersher.

The rules were suspended by a roll call vote of 9 yes.

ORDINANCE NO. 124 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

RESOLUTION NO. 17 – 2009 BY: COMMITTEE OF THE WHOLE

Reversing the decision of the Massillon Zoning Board of Appeals made on September 10, 2009 wherein the Zoning Board of Appeals denied a variance from the Massillon Zoning Code for a proposed fence/handrail at 2460 Wright State Drive SE, on Lot No. 16030 in the City of Massillon, Ohio, and declaring an emergency.

COUNCILMAN MANG This piece of legislation falls under Tony Townsend the 4th ward so I will pass it down to Tony.

COUNCILMAN TOWNSEND We discussed this last week at the work session. If I'm correct I believe we need seven votes to reverse the decision made by the zoning commission. Mr. Showen and Mr. McDonald has expressed in a written letter the importance of having this safety rail. I do believe the wife of one of the residents has some type of ailing physical disability so it's very important that she has this rail.

COUNCILMAN TOWNSEND moved for suspension of the rules and passage, seconded by Councilman Anderson.

The rules were suspended by a roll call vote of 9 yes.

COUNCIL PRESIDENT GAMBER Your recommendation on this Mr. Townsend?

COUNCILMAN TOWNSEND I recommend that we pass this it's needed for safety of both families.

COUNCILMAN PETERS I want to make it clear now we vote yes we're overturning their

decision correct? This isn't one of those weird ones, okay.

RESOLUTION NO. 17 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

RESOLUTION NO. 18 – 2009 BY: COMMITTEE OF THE WHOLE

Reversing the decision of the Massillon Zoning Board of Appeals made on September 10, 2009 wherein the Zoning Board of Appeals approved a variance from the Massillon Zoning Code for a proposed building site for the Salvation Army to be located on vacant Lot No. 580 in the City of Massillon, Ohio, and declaring an emergency.

COUNCILMAN MANG This piece of legislation is in ward 2 and will pass this over to Mr. Anderson.

COUNCILMAN ANDERSON I'm going to have a few problems like Tony had just a few minutes ago because I don't know the procedures. So this is my first shot at this so you have to bear with me a little bit. This is something I've done a lot when I say a lot in about a week's period of time since last week. Going around the neighborhood 5th Street, 6th Street, Chestnut, North that type of thing knocking on a few doors so forth and so on. My experience has been that the neighborhood per say which borders that old Longfellow property I found hardly nobody had any objections to this going in. The only that I probably should have gone to the meeting like Paul did but I couldn't get there but I talked to some other people and I wish I would have gone is working the whole little tiny odds and ends of the situation out. I think that the church is well, well, ready to sit down and talk to anybody and work anything out they are very, very nice people. I forget the words that Tony used by I would like to put this in front of council as a vote.

COUNCIL PRESIDENT GAMBER What you need to do is make a motion to suspend the rules.

COUNCILMAN ANDERSON moved for suspension of the rules and passage, seconded by Councilwoman Catazaro-Perry.

COUNCIL PRESIDENT GAMBER If I can speak for you you're recommending that the variance remain as granted by the Zoning Board of Appeals is that correct? (Yes) In that case the ward councilman is recommending a no vote on this ordinance. (absolutely) A yes vote would overturn the variance a no vote would keep it. Is everyone clear?

The rules were suspended by a roll call vote of 9 yes.

RESOLUTION NO. 18 – 2009 WAS DEFEATED BY A ROLL CALL VOTE OF 9 NO.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A NEW LIQUOR LICENSE FOR WALGREEN CO DBA WALGREENS 07865 1950 WALES RD NE MASSILLON OHIO 44646.

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR SEPTEMBER 2009 COPY FILE

B). AUDITOR SUBMITS MONTHLY REPORT FOR SEPTEMBER 2009 COPY FILE

COUNCIL PRESIDENT GAMBER Okay, we do need a motion, Mr. Manson?

COUNCILMAN MANSON I move that we accept the auditor's report, seconded by Councilwoman Catazaro-Perry.

Roll call vote of 9 yes to accept the auditor's report.

## 11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT GAMBER We will have committee sessions next Monday although it is Columbus Day some businesses and offices will be closed council will be open for business.

## 12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCIL PRESIDENT GAMBER Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY – I have a handout to pass out this evening pertaining to our deficit in our budget. I'd like to present this to council as point of discussion for the next work session. I've been looking into how to deal with our current deficit of \$1.7 and to help to eliminate this problem for our future. I found that by talking to other municipalities and other elected officials that they have had a performance audit within their city the residents and the city has benefited from this performance audit. I would like to propose that our city request a performance audit of the general fund by the Auditor of the State of Ohio. I believe this is our first step in solving our budget deficit and according to the auditor's website the objective of the performance audit team is to partner with local organizations and to provide an independent analysis evaluations and recommendations regarding the performance of the organization and compare it to its peers. I believe that it's always a good practice to have another set of eyes looking at something that is difficult having an expert from the outside looking in. The state auditor has assisted other municipalities to improve their city's departments and I think we need to work smarter not harder in our day-to-day operations. I think we can streamline government and make our city more effective and efficient. I really think this audit is in the city's best interest and will benefit the city and the citizens of Massillon. I think this should be a priority of our administration and city council and I think this process will shed light on our deficiencies in areas where we are performing well. I think it will help us make better choices and improve our practices and I endorse the audit. I urge council and the administration to follow through with a performance audit as soon as possible. That's all I have.

COUNCIL PRESIDENT GAMBER Are you forwarding this to the finance committee? (Yes) Alright, can I ask how does the performance audit differ from the audit that was just completed by the Auditor of State?

COUNCILWOMAN CATAZARO-PERRY – That's like a financial audit this audit will go into your departments and really look at the practices of each department and the staff that you have. Actually, the City of North Canton has done this in the past and I spoke with the mayor and he at first was reluctant to have a performance audit because it was presented by city council to him. He said it was well it was a process that was well received after the fact because anytime something's new you're afraid of it, you're thinking what's going to happen. Are they going to tear us apart and I think this is something that would be really good for us they went through it. He said it was tough to go through but he's glad that they did it. It has made them a better city for going through it.

COUNCIL PRESIDENT GAMBER Thank you. Is there anyone else with anything to bring forward? Mr. Townsend?

COUNCILMAN TOWNSEND – I was going to ask Councilwoman Catazaro-Perry the same question you did Glenn. I don't think it would be a bad idea if the City of North Canton has actually done this and they have found that it had benefited the city. So I think personally I don't think it's a bad idea.

COUNCIL PRESIDENT GAMBER It's been referred to the finance committee and you all can discuss it next Monday.

### 13. CALL OF THE CALENDAR

### 14. THIRD READING ORDINANCES AND RESOLUTIONS

#### .SECOND READING ORDINANCES AND RESOLUTIONS

#### ORDINANCE NO. 115 – 2009 BY: POLICE AND FIRE COMMITTEE

Amending CHAPTER 711 “AMBULANCE COMPANIES” of the Codified Ordinance of the City of Massillon, by repealing existing Section 711.02 “Description of Service” of CHAPTER 711 “AMBULANCE COMPANIES”.

COUNCILMAN MCCUNE Yes, we discussed this at our last work session. We will discuss it again at our next work session. So I will be giving this second reading.

ORDINANCE NO. 115 – 2009 WAS GIVEN SECOND READING.

#### ORDINANCE NO. 116 – 2009 BY: POLICE AND FIRE COMMITTEE

Enacting a new CHAPTER 967 “EMERGENCY MEDICAL SERVICES” of the Codified Ordinance of the City of Massillon.

COUNCILMAN MCCUNE This ordinance piggybacks with Ordinance No. 115 has also received discussion at last week’s work session and the prior and will be receiving additional discussion at the next work session. I will be giving it second reading as well.

ORDINANCE NO. 116 – 2009 WAS GIVEN SECOND READING.

### 16. NEW AND MISCELLANEOUS BUSINESS

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

JEN EDWARDS – 109 Lincoln Way West, on the corner of Lincoln Way and 1st Southwest. I’ve already went to the I didn’t know where to go to make a complaint about a public servant. So I just came downtown and they directed me to the safety director’s office. I already discussed this with him last Wednesday but then after checking it out further decided to come here bear with me because I don’t know what I’m doing. On the 30th of September which was last Wednesday I went outside my business because my dad comes to visit me at my business and he keeps getting parking tickets. But we’re on the same side as where Kosmo’s is there’s three two hour parking signs across the street there’s no two hour parking signs there’s only one sign that says no parking here to the corner and then one sign that says for this space its 15 minute parking. So we thought he was doing the right thing parking there well he got two parking tickets. So I called the parking enforcement number on the ticket and said “could someone please call me back and let me know where you can park downtown”. Because we don’t know you know what’s safe and what’s not unless there’s no signs. So no one called back then he got another ticket but the second ticket said two hour parking and he had not been there two hours. The ticket said he was there two hours but he hadn’t been. So I called three more times and left messages and I put a note in with the ticket that I paid saying just please call me back and let me know. So on the that was prior to the 30th I don’t know the date but like in a two week window. So I saw the meter lady outside on the 30th I went outside and said could I ask you a question? and she said yeah but she kept like walking I was following her down the street in the rain. She’s making people’s cars and I said “you know this side of the street says two hour parking this side of the street doesn’t” can you just tell me how when I’m downtown do I know where two hour parking is. She said well anywhere that these white you know the squares that tell you how to parallel park are anywhere where there’s these white squares is two parking. I said “well how does the average person know that” and she just like smacked her lips and turned her back and kept walking. I said you could please answer me and she said no and I said well I’ll go downtown and take it up with city council and the mayor’s office I want an answer. I’ve made phone calls nobody’s calling me back and she said anywhere where there’s these squares you know not to talk here excuse my mouth you stupid bitch. So I went back...

COUNCIL PRESIDENT GAMBER I'm sorry who said that you did or she did?

JEN EDWARDS – The parking enforcement lady. So I went but I'm chasing her down the street I just wanted a question for her and I said I'm being very respectful to you I called you I just want an answer but you're the stupid bitch. I did say that because I was so mad at that point that she had said that to me and I went back into my business where my dad was. So then I you know I came downtown they pointed me to the safety director's office I went and talked to him but my point being I took every penny that I had to open a business in downtown Massillon. People were telling me don't but I live in Massillon I love it here my kids go to school here I pay my taxes here I own my house here. So I wanted to take a chance on something in Massillon when I had great opportunities from landlords in Perry who wanted me to come there. I come here and I go out and I'm treated this way by somebody who in part my tax dollars pay their wages. I think its ridiculous and I've asked at least 75 people that live in Massillon since last Wednesday other than signage how do you know where there's two hour parking in Massillon. Nobody knew anything about the white squares I don't think it's something and I don't even care about the tickets even though the second one he was not there two hours. But I don't expect to go outside of my business and be called a stupid bitch by somebody doing their job. I think it's disheartening and ridiculous when the business that I have is not going to get me rich or make me a million bucks it's really a service that I provide other families that I want someone to provide to me where I live because I go to a place like mine in Canton but I live in Massillon. Everyone's come in like we love that you're here you know you're doing something great and I go outside and this is what the meter maid has to say to me. So that's all.

COUNCIL PRESIDENT GAMBER Alright, a couple of questions. Do you have an answer to your original question?

JEN EDWARDS – The safety director told me, but he told me it was also is her job to tell them if there's not a sign there. Since then I've been livid I've driven around and seen where there's signs everywhere downtown except on this side of the street. Where the squares are there's nothing there. He said she should of told us to replace the sign you know I'll address it an have it replaced. But all I said is how does the average person know and I've asked 75 average people and not a single one of them have known.

COUNCIL PRESIDENT GAMBER Let me make a suggestion. First of all, Mr. Peters, is our streets and highways chairman and if you would check with him after council to see if there's any follow-up. Also the mayor is here if you'd like to talk to the mayor about you know your complaint against the city employee.

JEN EDWARDS – I don't park there because the parking is limited I park two blocks and take my chances on getting knocked over the head and walk when I open and close. But he just comes in and out and anybody you know would she talk to my 94 year old grandmother ask her a question and she's going to talk to her that way.

COUNCIL PRESIDENT GAMBER Well, we appreciate you coming in and you've done your part. Now don't run out because we get the next part of the equation. Alright? Alright, Mr. Mayor, did you indicate you wanted to say something? Alright, thank you very much you can have a seat.

MAYOR CICCHINELLI – This is the first I've heard of this what I would like for you to do is please me tomorrow and make an appointment to see me. She's an employee of the city, she's actually hired by the city administration. So I want to get into the details of what's really happening here. But you made a couple of references getting knocked on the head I didn't quite get that. You feel unsafe?

JEN EDWARDS – No, I just mean you know you take your chances people know you're going up and down the streets with money. I park two and a half blocks away (she spoke too far away that the microphone did not pick up her complete conversation).

MAYOR CICCHINELLI – Just remember there's 33,000 people in Massillon and you made the correct decision in locating your business downtown. One or two people shouldn't spoil the

whole bunch. So just remember that we'll get the bottom of it.

COUNCIL PRESIDENT GAMBER Thank you. Is there anyone else who would like to speak?

RANDY FEMSTER - I live at 1233 Bison Street NW Massillon. This is my daughter I'm the one that parked across the street where there is no two parking sign on that street from end to end. I did stand in the doorway that day and what she told her is accurate. She did say that to my daughter my daughter did get out-of-line and say that back to her. But one thing that she failed to tell you was that the meter maid said that no one's going to believe you anyway. But I didn't want to fight these tickets I just wanted to pay them and I did we put a note in with the ticket to please call us and let us know why there's no sign there why are they issuing tickets out there. We've called the number nobody answers the phone at the number that's on those tickets. I'm not trying to fight city hall or retry this thing because I did pay the tickets I was parked over there and if I did something wrong I'm sorry. But when she was treated that way I was outraged I felt that this is just a miscarriage of justice. No one should be talked to or treated that way. I do feel wrong now I feel I know that the minister here he evoked God in his prayer to be the answer for the city's financial difficulties but I feel like if this is the way the city's going to treat people that come and park in the city that maybe your prayers have been answered. When all this happened it left such a bad taste in my mouth that I felt that maybe the City of Massillon should just start waiting for us to park our vehicles and then hit us in the head and take all our money. That's how I feel about it.

COUNCIL PRESIDENT GAMBER Thank you. As I say please don't leave without talking to Mr. Peters and I think the mayor will also be available. Is there anyone who would like to speak?

SUSAN SARACINA - I live at 504 Lincoln Way East here in Massillon. I just want to take the opportunity tonight to thank the council members here who have given back their cost of living raises. I know it's been very difficult for the city and I understand that its not a whole lot to give back but its your willingness to do so that I think the citizens appreciate. Also the employees of the city appreciate it. Another thank you should go out to the department heads and the administration offices who have made cuts and they've been very difficult cuts to help the budget. Employees of the city are also and their families too are also making sacrifices to help the city get back on track financially. Those here in council who have not decided to give back their raises I do would like to ask them if they could please do so. Do what they're willing to ask others to do. Thank you again.

COUNCIL PRESIDENT GAMBER Thank you. Is there anyone else?

COUNCILWOMAN CATAZARO-PERRY – I just want to make a comment. Mrs. Saracina, I just wanted to let you know that at a work session we did discuss rescinding the ordinance that allowed for those raises. Our finance chair decided not to bring that forward. So we could have taken care of everybody's raises all at once and that was decided against.

COUNCIL PRESIDENT GAMBER The mayor has given me a copy of a letter from the mayor from Steubenville does everyone else have a copy of this? It basically this is a letter from Mayor Dominique Muchie in Steubenville indicating that the Steubenville city officials and the public school superintendent are all looking forward to renewing the rivalry between Steubenville and Massillon after 30 years. They indicate that they've talked with our mayor and everyone is looking to provide a safe environment. I'm sure both teams and coaching staff will demonstrate outstanding sportsmanship and the mayor did ask me to mention this and some of the media folks have this he would like to have you highlight that. The second letter I have does everyone have a letter from First Energy? Mr. Mayor or maybe our public utilities chairman know anything about this? Basically it indicates that we are being asked to publicize that Ohio Edison, Ohio First Energy will be delivering door-to-door compact fluorescent light bulbs to residents and small businesses. These are not solicitors they will be dressed in company uniforms, green hats and shirts they will carry photo id they will not be collecting money, ringing doorbells or really even interacting with residents at all. But they will be distributing these fluorescent light bulbs beginning next Monday the 12th finishing up by Saturday, November 14th. I'm certain First Energy has gotten this information out to the media. So I just thought I would mention that

if anyone does see that type of a person on their porch not to be worried they're giving you a free light bulb. Is there anything else for the good of the order here? If not Mr. Slagle, we need a motion.

18. ADJOURNMENT

COUNCILMAN SLAGLE – I move that we adjourn, seconded by all.

---

MARY BETH BAILEY, CLERK,

---

GLENN E. GAMBER, PRESIDENT



©Copyright 1998 - present City of Massillon. All Rights Reserved